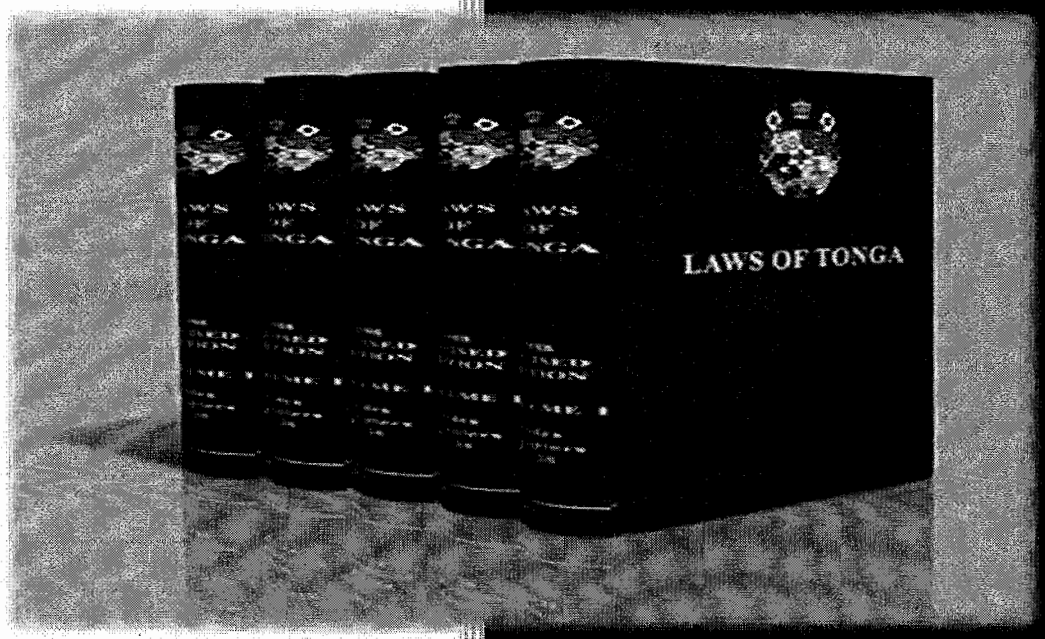
2013

ATTORNEY GENERAL'S OFFICE ANNUAL REPORT



This Annual Report is submitted in accordance to section 13F of the Public Service Act 2002

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ACRONYMS

AG	**Attorney General**
AGO	**Attorney General's Office**
DPP	**Director of Public Prosecutions**
MDA	**Ministry, Departments and Agencies**

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1 GENERAL

(1) ROLE

The Attorney General's Office was under the direction of the Attorney General Mr. Neil Adsett and remained so until the end of the year.

The Attorney General is the Crown's First Law Officer. The Attorney General is vested with wide common law powers that include: filing of *ex efficio* information, entering of a *nolle prosequi* in certain criminal prosecutions, and maintaining relator actions in matters affecting the general public. These powers are exercised by the granting of the Attorney General's *fiat.* As such, he decides whether or not and in what precise circumstances, he will issue his certificate.

In conjunction with these common law powers, the Attorney General has certain statutory responsibilities. The instigation of criminal proceedings in an increasing number of offences is now contingent upon the Attorney General's consent being first obtained. The Attorney General's has statutory duties and powers under the following legislation:

- *Anti Corruption Act;*
- *Consumer Protection Act;*
- *Charitable Trusts Act;*
- *Court of Appeal Act;*
- *Copra Act;*
- *Crown Proceedings Act;*
- *Commissioner for Public Relations Act;*
- *Defamation Act;*
- *Divorce Act;*
- *Electoral Act;*
- *Extradition Act;*
- *Fisheries Management Act;*
- *Foreign Evidence Act;*
- *Guardianship Act;*
- *Intoxicating Liquor Act;*
- *Immigration Act;*
- *Legitimacy Act;*
- *Law Practitioners Act;*
- *Public Finance Management Act;*
- *Public Enterprises Act;*

- *Pharmacy Act;*
- *Supreme Court Act;*
- *Tobacco Control Act;*
- *Money Laundering and Proceeds of Crime Act;*
- *Medical and Dental Practice Act;*
- *Maintenance of Illegitimate Children Act;*
- *Magistrate's Court Act;*
- *Mental Health Act;*
- *Mutual Assistance in Criminal Matters Act;*
- *Nurses Act;*
- *Retirement Fund Board Act;*
- *Stamp Act*
- *Tonga Law Commission Act;*
- *Transnational Crimes Act; and*
- *Wharves Act.*

The Solicitor General is in turn the Crown's Second Law Officer, and is in charge of the daily administration of the Department. The Department's role is based upon the accepted traditional functions of Government Law Officers. Generally, these functions revolve around the following categories:

- *Providing legal advice to Government;*
- *Representing the Crown in civil litigation;*
- *Criminal Prosecutions;*
- *Legislative Drafting;*
- *Law Officer functions;*
- *Implement Government's Community Law Initiatives.*

(2) OFFICE

The Attorney General's Office is now located on the first floor of the Taumoepeau Building, corner of Fatafehi and Salote Roads in central Nuku'alofa. However there is still need for more space for an adequate library and individual offices for legal staff.

(3) DEPARTMENT BUDGET

The budget expenditure of the Office for the 2013/2014 financial year was $1860,181.00. For the 2014/2015 was allocated $1860,000.00.

(4) ORGANIZATIONAL CHART

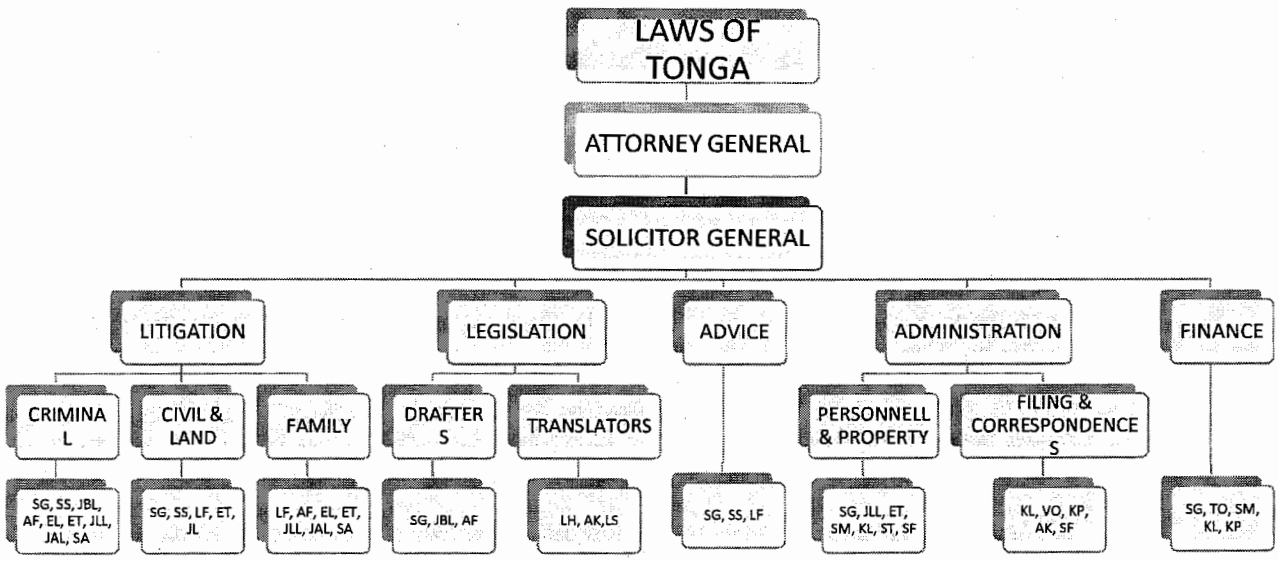


Figure 1 AGO Organizational Structure

2 STAFF

(1) STAFF DURING 2013

In January 2013 the Office had a total of 22 established staff. The Office had 11 legal staff including the Attorney General and Solicitor General and 11 administrative support staff.

The legal officers employed in the Office hold law degrees from various universities in New Zealand and the University of the South Pacific. They each have been admitted to practice law in the jurisdictions where they studied and also here in Tonga.

The Office continues to be challenged with the lack of experience of its young staff, however close supervision and mentoring has allowed the crown counsels to gain experience quickly.

Both the legal and administrative support staff contributed well to the efficient operation of the Office during 2013.

(2) STAFF MATTERS

LEGAL STAFF

On **3 January 2013**, Mr. James Bruce Lutui, Crown Counsel resumed duty after completing a Masters of Law (LLM), with First Class Honours from the University of Auckland, New Zealand.

Mr. Roman Lemisio Vaihū was recruited as a daily paid- Assistant Legal Officer on **28 June 2013**, his employment ended with the Office after the expiry of his contract. He then left the Office to join the Tongan Fire Services as a legal officer.

On **5 April 2013**, Ms. Silivia Virginia 'Atiola, Assistant Crown Counsel, Ms. Leotrina Macomber, Assistant Crown Counsel and Ms. 'Akanesi Katoa, Assistant Crown Counsel successfully completed the Professional Diploma in Legislative Drafting (PDLD) from the University of the South Pacific.

SUPPORT STAFF

Ms. Tupou Kafa, was recruited as a daily paid- Office Clerk on **2 January 2013.** She left the Office after a month to read for a Bachelors of Laws in Emalus Campus, University of the South Pacific, Port Vila, Vanuatu.

Ms. Latu Siosi'ana Kalapa was recruited as a daily paid- Office Clerk on **18 February 2013.**

Mrs. Pilima Malafu, daily paid receptionist was appointed by the Public Service Commission to the post Receptionist on **21 February 2013.**

STAFF RESIGNATIONS

On **30 January 2013**, Ms. Annis Finau Taumoepeau, Crown Counsel resigned. Ms. Taumoepeau had served the Office for 6 years. She resigned to join her family in Canberra, Australia.

On **18 November 2013**, Ms. Loupua Sefokuli, Assistant Crown Counsel resigned. Mrs. Sefokuli had served the Office for 5 years. She resigned to join the United Nations Development Programme (UNDP) as a Parliamentary Legal Research Officer.

On **20 December 2013**, Ms. Silivia Virginia 'Atiola, Assistant Crown Counsel resigned. Ms. 'Atiola had served the Office for 4 years. She resigned to join the United Nations Development Programme (UNDP) as a Parliamentary Legal Research Officer.

Schedule I sets out the staff details.

(3) OVERSEAS MEETINGS AND WORKSHOPS

In 2013, members of the legal staff attended various regional and international meetings and workshops representing the Tongan Government on legal matters.

Schedule II sets out in detail the regional and international meetings and workshops attended by the Office's legal staff.

(4) CONTINUED LEGAL EDUCATION

Ms. Joan Puloka, Assistant Crown Counsel and Ms. Rose Kautoke, Assistant Crown Counsel were awarded a Commonwealth Scholarship to complete the Professional Diploma in Legislative Drafting Programme through distant flexible learning (DFL) with the University of the South Pacific.

Ms. Marina Moa, Assistant Crown Counsel and Mr. Roman Lemisio Vaihū, daily paid – Assistant Legal Officer were admitted to the Tongan Bar on **25 February 2013 in** the Supreme Court of Tonga.



Figure 2 Admission Ceremony (Supreme Court of Tonga, February 2012)

The Attorney General's Office continues to face the same challenges of training its young and inexperienced Crown counsel. The Office continues its programme on expediting experience for its Crown counsel through internal law presentations, assigning two person prosecution teams to criminal trials, on-the-job training, especially regarding drafting legal documents and thinking strategically. Crown counsel are also benefitting when allocated to represent the Office and Government in national, regional and international trainings, and also official meetings.

The legal staff were given different opportunities to attended legal workshops where training was provided on specific international law issues.

(5) MEETINGS AND WORKSHOPS HOSTED BY THE OFFICE

The Office hosted the **32nd Pacific Islands Law Officers' Network Meeting** at Fa'onelua Convention Centre on **5-6 November 2013.** The theme for this year's meeting was "Domesticating International Law: Challenges and Best Practices". High level representatives from the PILON member countries attended the meeting.



Figure 3 Attorney General Mr. Neil Adsett and Deputy Secretary General, Pacific Island Forum Secretariat Mr. Feleti Teo during the PILON meeting.

(6) INTERNATIONAL LAW MATTERS

The Attorney General's Office has been heavily involved in international law matters for Government. The following are the pertinent international law matters:

(a) Asia Pacific Group on Money Laundering

The Office represented the Kingdom in the Annual General Meeting that was held in Shanghai, PRC. Tonga is co-leading two typologies projects on transhipment of illicit drugs through the Pacific with Vanuatu and the recovery of proceeds of crimes from corruption with Papua New Guinea. The Office is leading the coordination of anti money laundering and terrorist financing agencies activities, in order to ensure compliance with the Revised FATF standards;

(b) Office of the High Commission on Human Rights

The Office led the Kingdom's preparation of its universal periodic review, together with the Prime Minister's Office and the Ministry of Foreign Affairs and Trade, which

was conducted in January 2013. The Office is also leading and coordinating the implementation of the recommendations accepted from its UPR review. This includes promotion of the rights of persons with disabilities and consideration for the establishment of a human rights institution.

(c) World Trade Organisation

The Office assisted the Ministry of Foreign Affairs and Trade in the review of the Kingdom's trade policy under the WTO framework, and also the formulation of the review. Tonga's report will be presented to WTO in February 2014.

(d) International Committee of the Red Cross

The Office sought the assistance of the International Committee of the Red Cross in drafting of a policy paper to Cabinet proposing the ratification of the Rome Statute on the International Criminal Court. The paper is being discussed with relevant agencies before it is finalised to Cabinet for policy decision. One important consideration is the approach to be given to domesticating specific legislation for the Rome Statute to apply within the Kingdom. This includes costs and the extent of the actual legislative review.

(e) International Federation of the Red Cross

The Office is pursuing technical assistance for the drafting of regulations to deal with international disaster responses to states of emergency. Tonga's IDRL review has been concluded and will be submitted to Cabinet in the next few months. A staff member will be attending IDRL training that will be provided by the International Federation of the Red Cross in Sanremo, Italy.

(f) UN Convention against Corruption

The Office is considering technical assistance that is being offered by the United Nations Development Programme to assist the Kingdom accede to the UNCAC.

(g) Council of Europe Convention on Cybercrime

The Cabinet has approved for Government to apply to the Council of Europe to be invited to accede to the Budapest Convention. Tonga will be the first pacific Islands country to apply. The Commonwealth Initiative on Cybercrime has also been requested to provide technical assistance and training to strengthen the Kingdom's cybercrime framework and legislation.

(7) STAFF HUMAN RESOURCE MANAGEMENT PROGRAMS

AGO continued to work closely with the Public Service Commission in various human resource related programs.

3 LEGAL ADVICE

The Office continued to provide legal advice to Government Ministries, Departments and Agencies. This was provided in written form in a timely manner and where necessary, legal advice was provided orally or through email.

The Solicitor General issues most of the legal advice, with the Attorney General being referred legal advice matters when necessary. All the 11 Crown counsel are called upon when necessary to conduct research and provide legal advice when required. There remains a challenge of access to electronic legal databases due to costs, and also office space for the law library. The Office is contemplating hiring further office space above its current office premises in the Taumoepeau Building, for a proper law library and more offices for its Crown counsel.

The Department issued **191** written legal during 2013. **Schedule III** sets out the number of advices issued to Ministries, Departments and Agencies.

4 LEGISLATION

(1) THE LAW COMMITTEE

The Attorney General's Office continued to provide the secretariat duties to the Law Committee during the year. The Committee continued to meet during the year to consider amendments to existing laws and to vet new Bills to be approved by His Majesty's Cabinet and Privy Council for tabling before the Legislative Assembly, and also new draft regulations to be made by the relevant authorities.

The members of the Government Law Committee are as follows:

1) *Minister for Justice and Public Enterprises (Chairman);*
2) *Deputy Prime Minister (Deputy Chairman);*
3) *Attorney General;*
4) *Minister of Police, Prisons and Fire Services;*
5) *Minister for Finance, National Planning and Revenue Services;*
6) *Chief Secretary and Secretary to Cabinet;*
7) *Solicitor General; and*
8) *Attorney General's Office, as Secretariat.*

Depending on the issues discussed, the Law Committee co-opted persons from the relevant Government Ministries, Departments and Agencies to assist with the Law Committee's deliberations.

Schedule IV sets out the Bills and **Schedule V** sets out the Regulations, considered by the Law Committee, and subsequently enacted.

The Office's legislative drafting team is led by the Attorney General and supported by the Solicitor General and one Crown Counsel, one Assistant Crown Counsel and two translators.

In 2013, the legislative programme continued to be also busy. The Bills and draft regulations are first approved and cleared by Cabinet to be drafted or processed. They are then referred to the Office and the Ministry for final drafting, before they are submitted to Cabinet's Law Committee for vetting in accordance with policy and legislative drafting style. Once cleared at the policy and legislative drafting level, the proposed Bills and regulations are re-submitted to Cabinet for final approval for tabling before the Assembly or referral to the executive authority to issue subsidiary legislation.

During the Assembly's session there was one significant Constitution amendment proposed by a private member that proposed significant Constitutional amendments. These included the direct election of the Prime Minister by the people from the 26 members elected from the electoral constituency, the removal of the right of a Prime Minister to appoint 4 non-elected Cabinet Ministers, the limiting of the powers of a caretaker Government, which exists after a general election up to the time a new Prime Minister and Cabinet is appointed. There was heavy debate on the private bill, however it was not approved.

There have been 8 Crown counsel in the Office who have undergone the legislative drafting training for the Post-Graduate Diploma in Legislative Drafting, offered by the University of the South Pacific. There are two more Crown counsel to take the course. Due to the current workload from criminal prosecution, only one Crown counsel is able to work in processing the legislative programme.

The Office continues to benefit from the efficiency and effectiveness of its electronic legislative template developed for drafting Tongan laws. All the laws are published in the website www.crownlaw.gov.to/cms, in both final and draft form. The public and relevant stakeholders are notified of new laws through the relevant Ministry and through email notifications from the Office. Where necessary, the Office has published in the local newspapers the new laws that are being processed or have been enacted for public submissions or dissemination.

However, the main challenges in the Office's legislative drafting programme continue to be the time required to translate laws into Tongan, and also meeting Government's changing legislative priorities. Often in the Assembly, the Tongan translation is used as a political platform to either to criticise Government's proposed Bills or delay it.

Work continues on the finalisation of the consolidation of the laws of Tonga up to 2011, which is led by the Attorney General with the assistance of a number of Crown counsel and support staff. The consolidation has been held up due to the Tongan version, again because of the complexities of the Tongan language. It is anticipated

that the final version of the consolidated Tongan laws will be proof read in the next few months, and then finalised for publication, mainly through electronic means, especially on the Office's website, in the first half of next year.

5 LITIGATION

(1) COURT OF APPEAL

The President of the Court of Appeal is **Chief Justice Scott** and the Court of Appeal bench consisted of Justices Burchett and Moore of Australia, and Justice Salmon and Handley of New Zealand.In 2013 the Crown was involved in **18.**

(2) SUPREME COURT

The Supreme Court continues to be headed by the Honourable Chief Justice Michael Dishington Scott of England, and is assisted by Justice Robert Shuster of England. During the year, both Supreme Court judges alternated in sitting in the Supreme Court Circuits to 'Eua, Ha'apai and Vava'u. The Crown had matters in all circuits.

(A) CRIMINAL CASES

Criminal cases continued to take up most of the litigation work of the legal staff. The Office began prosecuting offences in the jurisdiction of the Magistrates Court for Police District 1.

The following are the figures for criminal cases, in the Supreme Court at the end of 2013:

Pending Criminal Cases from Previous Years	*174*
New Cases during 2013	*148*
Total Criminal Cases for 2013	*322*
Total Criminal Cases Closed in 2013	*157*
Pending Cases	*165*

(B) CIVIL CASES

Civil cases involving the Crown were also significant.

Pending Civil Cases from Previous Years	*19*
New Civil Cases for 2013	*14*
Total Civil Cases for 2013	*35*
Total Civil Cases Closed in 2013	*7*
Pending Civil Cases	*26*

(C) FAMILY MATTERS

The Supreme Court continued to refer family applications under its Family Jurisdiction to the legal staff to provide confidential *Guardian Ad Litem* reports in the best interests of the children. This work continues to be a significant part of the work of the legal staff. These are mainly applications for adoption of illegitimate children under the *Maintenance of Illegitimate Children Act* [Cap 30], and applications for guardianship of legitimate children under the *Guardianship Act 2004*.

During 2013 a total of **104** guardian ad litem reports were provided by legal staff to the Courts.

(D) LAND COURT

The Land Court continued to have cases involving the Crown. The figures are as follows:

Pending Land Cases from Previous Years	*30*
New Land Cases during 2013	*10*
Total Land Cases for 2013	*40*
Total Land Cases Closed for 2013	*8*
Pending Land Cases	*32*

(3) SIGNIFICANT CASES

(a) *Ministry of Prisons v Telefoni*, CV 44/12

This was a judicial review case of a ruling made by the Prisons Tribunal regarding accomplice evidence that was presented in the hearing of a disciplinary case against a prisons officer.

The respondent prisons officer was charged with four counts of unprofessional and discreditable conduct under the Prisons Act. It was alleged that he had, amongst others, smuggled contraband to prisoners and helped some prisoners to escape.

During the prosecution of the disciplinary charges, the prosecution called prisoners who gave evidence of the unlawful conduct by the respondent. The Chairman of the Prisons Tribunal however held that the evidence of the prisoners amounted to being accomplice evidence, and under section 126 of the Evidence Act, an accused person cannot be convicted based on the evidence of an accomplice. The respondent was then acquitted of the charges.

The Crown then filed, on behalf of the Ministry of Prisons, a judicial review application, against the Tribunal's ruling on accomplice evidence. The Crown claimed that it was wrong in law for the Tribunal to apply section 126 of the Evidence Act to disciplinary processes. The Supreme Court accepted this argument, and held that section 126 of the Evidence Act applies only to criminal proceedings, not disciplinary or civil proceedings.

The application was therefore allowed. The matter was then remitted to the Prisons Tribunal to reconsider its decision, and continue the disciplinary charge against the prisons officer.

(b) *Sevele and anor v Pohiva and ors*, CV 87/12

This was a judicial review case by a former Prime Minister against a Special Parliamentary Committee established by the Legislative Assembly for making certain prejudicial comments against the former Prime Minister and another Minister in their report on the work carried out by Government in relation to the reconstruction of Nuku'alofa after the 2006 riots.

The main issue before the Court was whether the report of the Special Parliamentary Committee was immune from judicial review on the ground of privilege.

The Supreme Court reconfirmed that the position in Tonga was clear that what is done in the course of proceedings in the Legislative Assembly cannot be examined outside parliament for the purpose of supporting a cause of action. He also added that the Supreme Court has the power to consider whether what has been done in

the Assembly is in accordance with the Constitution and statute and that no claim for privilege can remove the power.

The Supreme Court then held that so far as proceedings of the Assembly and its committees are concerned, an alleged breach of the rules of natural justice which does not directly result in the breach of a discrete provision of the constitution does not afford jurisdiction basis upon which the Supreme Court can intervene. The Court then concluded that if there was any breach of natural justice, although regretted, that was a matter for the Assembly to make right, not the Supreme Court.

The application for leave to file judicial review was therefore refused.

The matter was not taken further to the Court of Appeal.

(c) *Schaumkel and ors v Vakameitangake and ors*, AC 14/12

This case was a family dispute over family land. The plaintiff and the first defendant are first cousins. The plaintiff's mother and the first defendant's father were brother and sister, and they were the only children of the last land holder, the grandfather of the parties to the case. The first defendant's father was the heir to the land, but he had allowed the plaintiff's mother to stay on the land with her husband to look after their parents. The plaintiff's father developed the land with the apparent permission of the first defendant's father, and the plaintiff's family lived there for more than 20 years.

When the first defendant's mother died, the plaintiff claimed that the first defendant's father had promised to surrender the land for the plaintiff. Unfortunately, the first defendant's father had already died by then.

Unbeknownst to the plaintiff, when the first defendant's father died, the land was transferred by the Minister of Lands directly by consent, past the heir, who was the eldest son, to the first defendant, who was the second son.

The plaintiff and his father then filed a claim in the Land Court, on the basis that the transfer of the land directly from the father to the first defendant, as the second son, was unlawful, and that the Minister had failed to give notice and offer the plaintiff the opportunity to claim the land because the plaintiff's family were already living on the land.

The Land Court decided that the plaintiff's claim could not be accepted because, if there was a promise by the first defendant's father to pass the land to the plaintiff, that promise did not give the plaintiff any legal title or standing over the land, and that it had expired when the first defendant's father died. The Land Court was therefore of the view that it did not need to decide whether the transfer of the land to the first defendant was lawful or not. The plaintiff appealed to the Court of Appeal.

The Court of Appeal however approached the case differently. It had to decide whether the direct transfer from the father, past the heir, directly to the first defendant as the second son, was lawful and consistent regarding devolution of land through the family. The appellant argued that the transfer breached the Land Act, and that the land should have been surrendered to the Crown, and the Minister should have made inquiries whether the land was available, and not occupied, before he granted the land to the first defendant.

The case hinged on statutory construction of the devolution of land. The Court of Appeal held that the provisions had to be interpreted to work, and to avoid causing arbitrary results regarding land. The Court recognised that inheritance of land descended based on seniority in the male line, and that provision must be given priority over the other provisions providing for devolution of land. Therefore the land devolved from the father, past the heir, because he had surrendered his rights, and so the first plaintiff, as the next person in line, inherited the land.

In relation to the second issue of whether the plaintiffs had a legal right to be on the land, the Court held that all the plaintiffs had was a licence which was not a legal right, and such licence could be terminated on reasonable notice. Accordingly, the Minister was not required under the law to invite the plaintiffs to express a view on the transfer of the land to the second plaintiff.

Accordingly, the plaintiffs' claims were dismissed, and the first defendant was given possession of the land. The matter was remitted to the Land Court to determine the issues for possession and any issues on compensation.

(d) ***Rex v Veimau Leone*, CR 202/11**

The accused in this case was a Tonga Police inspector. He was the most senior police officer who has ever been prosecuted in the Kingdom. The accused was the officer-in-charge of Tonga Police in the island of 'Eua. As such he was entitled to rations of petrol for use of a police vehicle. The accused however, over a period of some time, used portions of the petrol rations to be filled into his private motor vehicle.

The accused was charged with one count of fraudulent conversion by a Government servant. He was convicted by the Lord Chief Justice. He was sentenced to 18 months imprisonment, but six months was suspended for two years, and so he was only required to serve 12 months imprisonment.

The accused has appealed both his conviction and sentence to the Court of Appeal.

(e) ***Rex v Bloomfield & Fakava*, CR 212-213/10**

This was the largest fraud case ever prosecuted in Tonga, in the amount of more than $300,000 pa'anga, embezzled by two accused persons, who were employed as travel

consultants, working for the travel agency that was the exclusive agent in the Kingdom for Air New Zealand.

After some internal audit, it was discovered that the travel consultants had significant shortages for their daily pay-in for purchased tickets. After further investigation, the real extent of the embezzlement was discovered in thousands of pa'anga being defalcated from the travel agency.

It was discovered that the fraud was committed in three methods. First, by the issuing of false invoices to genuine customers, to pay for tickets for passengers, who either paid for the tickets already to the travel agency, through the accused, or who had not paid at all, and the accused had given them free tickets to travel. The second method was that the tickets were cancelled after they were paid for and issued, and then the money was either used to pay for other tickets, or pocketed by the travel consultant. The third method was that the consultants simply did not pay-in the daily cash they collected from revenue, and that they had used several excuses that the money was going to be paid.

One accused pleaded guilty on the day of trial to embezzling around $80,000 pa'anga. He was sentenced to 3 years and 3 months imprisonment, 1 year was suspended for 2 years, and so he was required to only serve 2 years, 3 months imprisonment.

The other accused maintained a not guilty plea, and put the Crown to proof before a jury. The total amount of the defalcation against that accused amounted to over $204,000 pa'anga. The trial ran for three weeks, and the accused elected not to give any evidence or call any evidence at all. The accused however submitted through her counsel that the Crown had not proven the whole amount of the fraud charged. That submission however was not the law, as the Crown only had to prove a part of that amount.

The jury was convicted for one count of embezzlement. She was then sentenced on the basis that the full amount was proven based on the Crown's evidence, but in her favour, she was allowed mitigation for being a first time offender, and the impact on her 5 children and diabetic husband would have been significant.

The Supreme Court adopted a starting point of 5 years, from the 7 years maximum sentence for embezzlement, and reduced it to 4 years and 4 months imprisonment. The Court then suspended 12 months for 2 years, and so the accused is to serve only 3 years, 4 months.

The accused have not appealed to the Court of Appeal.

6 LEGAL SECTOR INITIATIVE / PROJECTS

(1) TONGA COUNTER TERRORISM DESKTOP EXERCISE

In March 2013, the Office took the initiative to conduct a counter terrorism desktop exercise for relevant agencies. This was modelled on the Ready Pasifika desktop exercise that has been conducted in the region. Participants were from Tonga Police, Customs, Tonga Defence Services and the Office. The participants were divided into groups and were given scenarios to plan strategies, highlight legislative powers to use in the investigation and apprehension of terrorist offenders. The scenarios were regarding terrorist situations at the airport, in a maritime scenario, on land and also a money laundering and terrorist financing situation. The exercise was supported by the Australian Depart of Foreign Affairs and Trade, and co-led by the Office, Australia Federal Police and New Zealand Police. It is hoped that a similar training will be conducted in 2014, and to be held annually.

(2) TRAINING FOR POLICE PROSECUTORS

In April and October 2013 the Office assisted Tonga Police in the training of its prosecutors, with first basic training and followed up with practical training. The training was also supported by Magistrates. The training covered preparations for trial, opening addresses, evidence in chief, cross examination, voir dire, closing submissions, sentencing, bail applications, and Court etiquette.

In the practical training, Police prosecutors performed the various roles of prosecution, and were critiqued and offered feedback for the performance.

(3) TRAINING OF POLICE INVESTIGATORS

In July 2013, the Attorney General's Office and Tonga Police, with support of New Zealand Police, provided investigation training for investigators. The office focussed on providing training on Police investigation powers, criminal law, evidence, bail, and other police procedures regarding the questioning of witnesses. It was also an opportunity for the Office to provide feedback on the issues that they faced in criminal prosecutions regarding Police investigations and the state of Police files.

(4) 6TH ANNUAL LAW WEEK 2013

At the end of November 2013, the Attorney General's Office will hold the 6th Annual Law Week, with a theme of "Village Laws". The objective is to raise awareness of the laws that are applicable and relevant directly to life at the village levels, especially with animal enclosures, powers of town officers and district officers, community policing, village councils, village fonos (meetings), and public

places offences. It will also be an opportunity to discuss the new Family Protection Act and its application.

SCHEDULE I

ATTORNEY GENERAL'S OFFICE STAFF AS OF 31 DECEMBER 2013

LEGAL STAFF

1	*Attorney General*	**Neil James Adsett**
2	*Solicitor General*	**'Asipeli 'Aminiasi Kefu,** LLB, *Waikato* LLM *VUW,* GDPSM *Massey*, Barrister & Solicitor of the High Court of New Zealand, Law Practitioner and Commissioner for Oaths (Tonga)
3	*Senior Crown Counsel*	**VACANT**
4	*Assistant Senior Crown Counsel*	**Sione Finau Sisifa** LLB *USP,* PDLP *USP,* Barrister & Solicitor of the High Court of Fiji, Law Practitioner and Commissioner for Oaths (Tonga)
5	*Crown Counsel*	**James Bruce Lutui** LLB *USP,* LLM (Hons.) *UOA,* PDLP *USP,* PDLD *USP* Barrister & Solicitor of the High Court of Fiji, Law Practitioner (Tonga)
		'Elisapeti Lavakei'aho Langi LLB *USP,* PDLP *USP,* PDLD *USP,* Barrister & Solicitor of the High Court of Fiji, Law Practitioner (Tonga)
7	*Assistant Crown Counsel*	**Juliana Lafaialii** LLB *USP,* PDLP *USP*, PDLD *USP,* Law Practitioner (Tonga)
		Leotrina Macomber LLB *USP* , PDLP *USP,* PDLD *USP,* Barrister & Solicitor of the High Court of Fiji, Law Practitioner (Tonga)
		Joan Puloka LLB *USP,* PDLP *USP*, Law Practitioner (Tonga)
		Rose Lesley Kautoke

		LLB *USP,* PDLP *USP*, PDLD *USP,* Law Practitioner (Tonga)
		'Akanesi E Katoa
		LLB *USP* Dip. PDLP *USP*, PDLD *USP,* Law Practitioner (Tonga)
		Marina Moa
		LLB *USP,* PDLP *USP,* Law Practitioner and Commissioner for Oaths (Tonga)
ADMINISTRATIVE SUPPORT STAFF		
8	*Senior Interpreter*	**VACANT**
9	*Assistant Senior Interpreter*	**VACANT**
10	*Interpreter*	**Losa Hastings**
		'Ana Fusipala Sisilia Michelle Koloamatangi
11	*Personal Assistant to Attorney General and Manager Human Resources*	**Simaili Tu'ifua Ma'ake**
12	*Executive Officer*	**Taufa 'Otuhouma**
13	*Computer Operator Grade III*	**Katalina Fisi'ilose Leha**
14	*Filing Registrar*	**Niusolifoni Kei**
15	*Computer Operator Grade III*	**Keleni Tu'iniua Pasikala**
16	*Driver*	**Siosaia Fifita**
		Samiuela Toli
17	*Housekeeper*	**Siulolo Tu'itavuki**
18	*Daily Paid Officer Clerk*	**Siosi'ana Latu Kalapa Sikalu**

SCHEDULE II

The following is a summary of the various meetings and trainings the legal staff attended:

TRAININGS

	DATE	TRAINING	VENUE AND ORGANISERS	PARTICIPANT
1	4 March	APG Workshop on the Revised FATF Standards and Pacific Typologies	Brisbane, Australia	'Aminiasi Kefu, Solicitor General
2	11 March	Workshop on Deep Sea Mining Law and Contract Negotiations	Nuku'alofa, Tonga	James Lutui, Crown Counsel
3	19-20 March	Tonga Counter-Terrorism Desktop Exercise	Nuku'alofa, Tonga	'Aminiasi Kefu, Solicitor General 'Elisapeti Lavakei'aho, Crown Counsel Leotrina Macomber, Assistant Crown Counsel
4	15-26 April	Tonga Police Prosecution Workshop	Nuku'alofa, Tonga	'Aminiasi Kefu, Solicitor General Sione Sisifa, Assistant Senior Crown Counsel James Lutui, Crown Counsel
5	22-24 April	Tonga Inter-Agency Border Protection Workshop	Nuku'alofa, Tonga	Juliana Lafaialii Lutui, Assistant Crown Counsel

				Marina Moa, Assistant Crown Counsel
6	23-25 April	Regional Workshop on Trafficking in Persons and Child Sex Tourism	Nadi, Fiji	Sione Sisifa, Assistant Senior Crown Counsel
7	6-10 May	Workshop on Contemporary Maritime Issues in the Western and Central Pacific	Auckland, New Zealand	Joan Puloka, Assistant Crown Counsel
8	2-29 July 2013	DSM Project Legal Trainee Placement with the International Seabed Authority	Kingston, Jamaica	Rose Kautoke, Assistant Crown Counsel

NATIONAL, REGIONAL AND INTERNATIONAL MEETINGS

	DATE	MEETING	VENUE	PARTICIPANT
1	21 January	2nd Universal Periodic Review for Tonga, Human Rights Council	Geneva, Switzerland	'Aminiasi Kefu, Solicitor General
2	11 March	Meeting of Working Group of Commonwealth Experts on Cybercrime	London, UK	'Aminiasi Kefu, Solicitor General
3	3-6 June	Pacific Command Military Operations and Law Conference	Bangkok, Thailand	'Aminiasi Kefu, Solicitor General
4	5-6 June	Forum Regional Security Committee	Suva, Fiji	Rose Kautoke, Assistant Crown Counsel

5	4-7 July	Operation Ika Moana Planning Conference	Rarotonga, Cook Islands	Joan Puloka, Assistant Crown Counsel
6	7-10 July	ICPD Beyond 2014 Conference on Human Rights	The Hague, Netherlands	'Akanesi Katoa, Assistant Crown Counsel
7	15-19 July	16th APG Annual General Meeting and Capacity Building	Shanghai, PRC	'Aminiasi Kefu, Solicitor General
8	2-3 September	Pacific ACP States Preparatory Meeting for the 9th WTO Ministerial Meeting	Port Vila, Vanuatu	Rose Kautoke, Assistant Crown Counsel
9	9-10 September	Scoping Mission to the Samoa International Finance Authority	Apia, Samoa	Juliana Lafaiali'i Lutui, Assistant Crown Counsel
10	9-11 September	Senior Officials of Law Ministries Meeting	London, UK	'Aminiasi Kefu, Solicitor General Susana Faletau, Secretary for Justice
11	12-13 September	Meeting of Commonwealth Law Ministers and Attorneys General of Small Commonwealth Jurisdiction	London, UK	Neil Adsett, Attorney General 'Aminiasi Kefu, Solicitor General Susana Faletau, Secretary for Justice
12	16 September	Pacific Islands Forum Reference Group on Sexual and Gender Based Violence	Suva, Fiji	'Akanesi Katoa, Assistant Crown Counsel

13	23-27 September	Joint APG/EAG Typologies and Capacity Building Workshop	Ulaanbaatar, Mongolia	'Aminiasi Kefu, Solicitor General
14	3-25 October	Economic Partnership Agreement Related Meeting	Brussels, Belgium	Rose Kautoke, Assistant Crown Counsel
15	7-11 October	Annual Human Rights Consultation	Suva, Fiji	'Akanesi Katoa, Assistant Crown Counsel

SCHEDULE III

LEGAL ADVICE

No.	Ministry/Department	Number of Legal Advices
1	Prime Minister's Office	19
2	His Majesty's Armed Forces	2
3	Ministry of Police	9
4	Ministry of Education	3
5	Public Service Commission	24
6	Ministry of Infrastructure	11
7	Ministry of Finance	13
8	Ministry of Labour and Commerce	16
9	Ministry of Revenue	5
10	Ministry of Justice	17
11	Ministry of Public Enterprises	
12	Ministry of Agriculture, Food, Forests and Fisheries	8
13	Ministry of Health	6
14	Ministry of Foreign Affairs	21
15	Ministry of Lands & Survey	10
16	Audit's Office	6
17	Legislative Assembly	1
18	Office of the Lord Privy Seal	3
19	Private	17
	TOTAL	**191**

SCHEDULE IV

ACTS PASSED BY THE LEGISALTIVE ASSEMBLY DURING THE 2013 SESSION

No.	ACTS
1	Pacific Games Organization Act 2013
2	Constitution (Amendment) Act 2013
3	Land (Amendment) Act
4	Legislative Assembly (Amendment) Act
5	Income Tax (Amendment) Act
6	Revenue Services Administration (Amendment) Act
7	Revenue Administration (Amendment) Act
8	Customs and Excise Management (Amendment) Act
9	Consumption Tax (Amendment) Act
10	Excise Tax (Amendment) Act
11	Customs (Amendment) Act
12	Public Holidays (Amendment) Act
13	2013/2014 Appropriation Act
14	Legislative Assembly Retirement Benefits Scheme (Amendment) Act
15	Tonga Tourism Authority (Amendment) Act
16	National Retirement Benefits Scheme (Amendment) Act
17	Public Health (Amendment) Act
18	Counter Terrorism and Transnational Organised Crime Act
19	Family Protection Act
20	Tonga Defence Services (Amendment) Act
21	Registration of Business Names Act
22	Income Tax (Amendment) (No. 2) Act

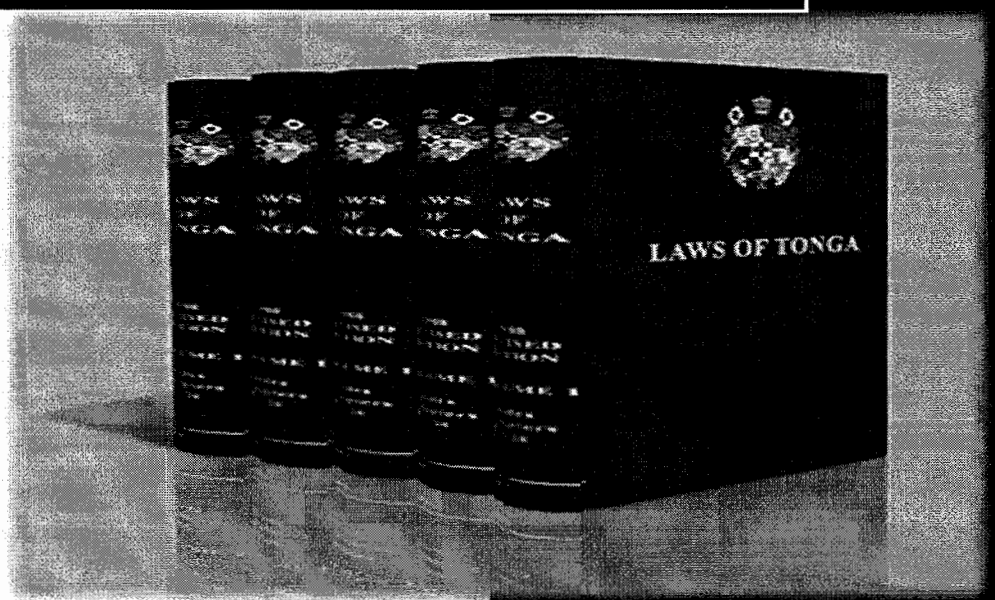
SCHEDULE V

REGULATIONS MADE DURING 2013

NO.	REGULATIONS
1	District and Town Officers (Election) Regulations 2013
2	Income Tax (Amendment) Regulations
3	Revenue Services Administration (Amendment) Regulations
4	Whale Watching and Swimming Regulations
5	Customs Duty (Amendment) Order
6	Consumption Tax Order
7	Retirement Fund (Administration) (Amendment) Regulations
8	Tonga Defence Services Pensions (Amendment) Regulations
9	Tonga Defence Services (Operations Benefit) Regulations

2013

FAKAMATALA FAKATA'U 'A E 'OFISI 'O E 'ATENI SENIALE



'Oku fakahu atu 'a e Fakamatala Fakata'u ko eni 'o fakatatau ki he kupu 13F 'o e Lao ki he Ngaue Fakapule'anga 2002

KAKANO

NGAAHI FAKANOUNOU 3

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1 FAKALUKUFUA 4

(1) FATONGIA 4

(2) ʻOFISI 5

(3) PATISETI ʻA E POTUNGAUE 5

(4) SAATI ʻO E FAʻUNGA FAKANGAUE ʻO E AGO 0

2 KAU NGAUE 0

(1) KAU NGAUE LOLOTONGA ʻA E 2013 0

(2) FEKAUʻAKI MO E KAU NGAUE 0

KAU NGAUE FAKAFOFONGA LAO 0

KAU NGAUE POUPOU 0

KAU NGAUE KUO FAKAFISI 0

(3) NGAAHI FAKATAHA MO E NGAAHI AKO ʻI MULI 0

(4) HOKO ATU ʻO E AKO LAO 0

(5) NGAAHI FAKATAHA MO E AKO NAʻE FAKAHOKO ʻE HE ʻOFISI 2

(6) NGAAHI MEʻA FAKALAO FAKAVAHAʻAPULEʻANGA 2

(7) NGAAHI POLOKALAMA KI HONO PULEʻI ʻO E KAU NGAUE 4

3 FALEʻI FAKALAO 4

4 LAO 4

(1) KOMITI LAO 4

5 HOPO 6

(1) FAKAMAAUʻANGA TANGI 6

(2) FAKAMAAUʻANGA LAHI 6

(A) NGAAHI HOPO HIA 6

(B) NGAAHI HOPO SIVILE 7

(C) NGAAHI MEʻA FEKAUʻAKI MO E FAMILI 7

(D) FAKAMAAUʻANGA KELEKELE 8

6 POLOKALAMA ʻA E SEKITOA LAO / POLOSEKI 13

(1) AKO MAʻAE MAʻUʻANGA FAKAMATALA ʻA TONGA KI HONO FAKAFEPAKIʻI ʻO E TAUTOITOI 13

(2) AKO MAʻAE KAU TALATALAAKI ʻA E POLISI 13

(3) AKO MAʻAE KAU POLISI FAKATOTOLO 13

(4) UIKE LAO FAKATAʻU HONO 6, 2013 14

TEPILE I 15

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TEPILE II 17

NGAAHI AKO 17

NGAAHI FAKATAHA FAKALOTOFONUA, FAKAVAHEFONUA MO FAKAVAHA'APULE'ANGA 18

TEPILE III 21

FALE'I FAKALAO 21

TEPILE IV 22

NGAAHI LAO KUO PAASI ʻE HE FALE ALEA LOLOTONGA ʻA E TO'U FALE ALEA 2013 22

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NGAAHI TU'UTU'UNI KUO FA'U LOLOTONGA ʻA E 2013 23

NGAAHI FAKANOUNOU

AG	**'Ateni Seniale**
AGO	**'Ofisi 'o e 'Ateni Seniale**
DPP	**Talekita 'o e Ngaahi Talatalaaki Hia 'a e Pule'anga**
MDA	**Potungaue mo e 'Ofisi**

HOKOHOKO 'O E NGAAHI FAKATATA

Figure 1 Saati 'o e Fa'unga Fakangaue 'o e AGO 0

Fakatata 2 Ouau Tali ki he Ngaue Fakalao (Fakamaau'anga Lahi 'o Tonga, Fepueli 2012) 1

Figure 3 'Ateni Seniale Mr. Neil Adsett mo e Tokoni Sekelitali Lahi, Sekelitali 'a e Fakataha'anga 'a e 'Otu Motu 'o e Pasifiki 2

1 FAKALUKUFUA

(1) FATONGIA

Na'e 'i he malumalu 'o e tu'utu'uni 'a e 'Ateni Seniale Mr. Neil Adsettt 'a e 'Ofisi 'o e 'Ateni Seniale pea na'e pehe ai pe ki he ngata'anga 'o e ta'u.

Ko e 'Ateni Seniale 'a e Fakafofonga Lao 'Uluaki 'a e Kalauni. 'Oku 'i he 'Ateni Seniale 'a e ngaahi mafai lahi 'o e lao tupu-fonua 'a ia 'oku kau ki ai 'a e: faile 'o e fakamatala *(ex-officio),* fakahu 'o ha kole ke kaniseli *(nolle prosequi)* 'a e ngaahi hopo hia 'e ni'ihi, pea fakahoko mo e ngaahi hopo 'i he ngaahi me'a fekau'aki mo e kakai fakalukufua. 'Oku ngaue'aki 'a e ngaahi mafai ko eni 'aki hono foaki 'o e *tohi fakamo'oni Faka-'Ateni Seniale.* 'I he'ene pehe, 'oku 'iate ia kene tu'utu'uni 'a e ngaahi tu'unga pau, ke 'oatu pe 'ikai 'oatu ai 'a 'ene tohi fakamo'oni.

'Oku 'i ai 'a e ngaahi fatongia fakalao pehe ni 'o e 'Ateni Seniale 'o tanaki atu ki he ngaahi mafai 'o e lao tupu-fonua ko eni. Ko hono kamata 'o ha ngaahi hopo hia 'i he ngaahi hia 'oku faka'au ke ha lahi mai 'oku fakafalala ia 'i he taimi ni ki hono tomu'a ma'u 'o e fakangofua 'a e 'Ateni Seniale. 'Oku 'i ai 'a e ngaahi ngafa mo e mafai fakalao 'o e 'Ateni Seniale 'i he ngaahi lao ko eni:

- *Lao ki hono Fakafepaki'i 'o e Ta'efaitotonu;*
- *Lao ki hono Malu'i 'o e Konisiuma;*
- *Lao ki he Ngaahi Talasiti Ngaue'ofa;*
- *Lao 'o e Fakamaau'anga Tangi;*
- *Lao ki he Mataka;*
- *Lao ki he Ngaahi Hopo 'a e Kalauni;*
- *Lao ki he Komisiona ki he Va mo e Kakai;*
- *Lao ki he Lau'ikovi;*
- *Lao ki he Vete Mali;*
- *Lao ki he Fili Fale Alea;*
- *Lao ki he Fakafoki Fakapule'anga 'o e Kau Faihia;*
- *Lao ki hono Pule'i 'o e Toutai;*
- *Lao ki he Fakamo'oni Muli;*
- *Lao ki hono Tauhia 'o e Fanau;*
- *Lao ki he Kava Malohi Tapu;*
- *Lao ki he Kakai Hu Mai;*
- *Lao 'oku kau ki he Fakahoko 'o e Fanau;*
- *Lao ki he Kau Fakafofonga Lao;*
- *Lao ki hono Pule'i 'a e Pa'anga 'a e Pule'anga;*
- *Lao ki he Ngaahi Pisinisi 'a e Pule'anga;*
- *Lao ki he Hu'ivai;*
- *Lao 'o e Fakamaau'anga Lahi;*

- *Lao ki hono Pule'i 'o e Tapaka;*
- *Lao ki hono Fe'ave'aki 'o e Pa'anga Kaka mo e Ngaahi Koloa 'oku ma'u mei ha Hia;*
- *Lao ki he Ngaue Fakafaito'o mo e Nifo;*
- *Lao ki hono Tauhi 'o e Fanau Ta'emali;*
- *Lao 'o e Fakamaau'anga Polisi;*
- *Lao ki he Fakalelei 'Atamai;*
- *Lao ki he Tokoni Fengaue'aki 'i he Ngaahi Hia Matea;*
- *Lao ki he Kau Neesi;*
- *Lao ki he Poate Sino'i Pa'anga Malolo mei he Ngaue;*
- *Lao 'o e Sitamipa*
- *Lao ki he Komisoni Lao 'o Tonga;*
- *Lao ki he Ngaahi Hia Fakavaha'apule'anga; mo e*
- *Lao ki he Ngaahi Uafu.*

Ko e Fakahinohino Lao Pule 'a e Fakafofonga Lao Hoko 'a e Kalauni pea 'oku ne pule'i 'a e fakahoko ngaue faka'aho 'a e 'Ofisi. 'Oku fakatefito 'a e fatongia 'o e 'Ofisi 'i he ngaahi fatongia tukufakaholo angamaheni 'o e Kau 'Ofisa Lao 'a e Pule'anga. Fakalukufua, 'oku fakatefito 'a e ngaahi fatongia ko eni 'i he ngaahi me'a ko eni:

- *Fakahoko 'o e fale'i fakalao ki he Pule'anga;*
- *Fakafofonga'i 'a e Kalauni 'i he hopo sivile;*
- *Ngaahi Hopo Hia;*
- *Fa'u Lao;*
- *Ngaahi fatongia 'o e 'Ofisa Fakafofonga Lao;*
- *Fakahoko 'a e Polokalama Fakafofonga Lao Ma'ae Kakai.*

(2) 'OFISI

'Oku tu'u 'a e 'Ofisi 'o e 'Ateni Seniale 'i he taimi ni 'i he fungavaka 'uluaki 'o e Taumoepeau Building, tuliki 'o e Hala Fatafehi mo e Hala Salote 'i loto Nuku'alofa. Neongo ia 'oku kei 'i ai pe 'a e fiema'u ki ha feitu'u lahi ange koe'uhi ko ha laipeli fe'unga mo ha ngaahi 'ofisi taautaha ma'ae kau ngaue fakafofonga lao.

(3) PATISETI 'A E POTUNGAUE

Ko e patiseti ki he fakamole 'a e 'Ofisi ki he ta'u fakapa'anga 2013/2014 na'e fe'unga mo e $1,860,181.00. Na'e vahe'i 'a e $1,860,000.00 ma'ae 2014/2015.

(4) SAATI 'O E FA'UNGA FAKANGAUE 'O E AGO

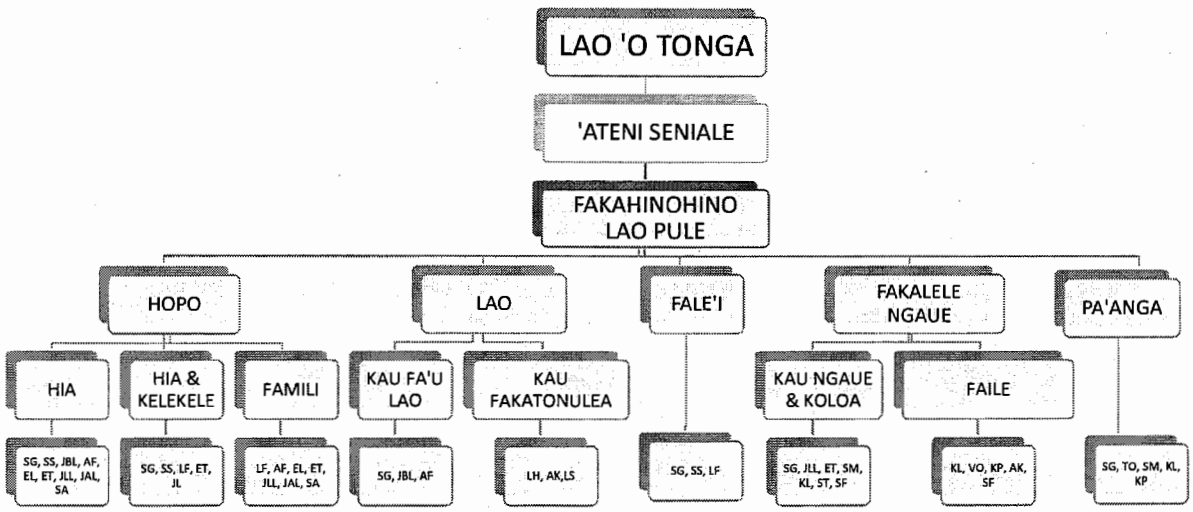


Figure 1 Saati 'o e Fa'unga Fakangaue 'o e AGO

2 KAU NGAUE

(1) KAU NGAUE LOLOTONGA 'A E 2013

'I Sanuali 2013 na'e 'i ai 'a e kau ngaue tu'uma'u 'e 22 'a e 'Ofisi. Na'e 'i ai 'a e kau ngaue fakafofonga lao 'e 11 kau ki ai 'a e 'Ateni Seniale mo e Fakahinohino Lao Pule mo e kau ngaue poupou fakalele ngaue 'e 11.

Ko e kau 'ofisa fakafofonga lao 'oku ngaue 'i he Potungaue 'oku nau ma'u mata'itohi lao mei he ngaahi 'univesiti kehekehe 'i Nu'usila pea mo e 'Univesiti 'o e Pasifiki Tonga. Kuo 'osi tali taki taha kinautolu kenau ngaue fakafofonga lao 'i he ngaahi feitu'u 'a ia na'a nau ako ai pea pehe foki 'i Tonga ni.

'Oku hokohoko atu pe 'a e fehangahangai 'a e Potungaue mo e si'isi'i 'o e taukei 'o 'ene kau ngaue ta'u si'i, neongo ia kuo lava 'e hono tokanga'i mo fale'i vaofi 'o e kau 'ofisa fakahinohino lao kenau ma'u vave 'a e taukei.

Na'e tokoni lelei 'a e kau ngaue fakafofonga lao mo e kau ngaue poupou fakalele ngaue fakatou'osi ki he fakahoko fatongia lelei 'a e 'Ofisi lolotonga 'a e 2013.

(2) FEKAU'AKI MO E KAU NGAUE

KAU NGAUE FAKAFOFONGA LAO

'I he 'aho **3 Sanuali 2013**, na'e foki mai ai 'a Mr. James Bruce Lutui, ko e 'Ofisa Fakahinohino Lao ki he ngaue hili 'ene fakakakato 'a e Masters of Law (LLM), with First Class Honours mei he 'Univesiti 'o 'Aokalani, Nu'usila.

Na'e fakangaue'i 'a Mr. Roman Lemisio Vaihū ko e 'Ofisa Fakafofonga Lao Tokoni lau 'aho 'i he 'aho **28 Sune 2013**, na'e ngata 'a 'ene ngaue mo e 'Ofisi hili 'a e 'aho na'e ngata ai 'ene aleapau ngaue. Na'a ne mavahe leva mei he 'Ofisi ki he Tamate Afi 'a Tonga ko e 'ofisa fakafofonga lao.

'I he 'aho **5 'Epeleli 2013**, na'e fakakakato lelei 'e Ms. Silivia Virginia 'Atiola, 'Ofisa Fakahinohino Lao Tokoni, Ms. Leotrina Macomber, 'Ofisa Fakahinohino Lao Tokoni mo Ms. 'Akanesi Katoa, 'Ofisa Fakahinohino Lao tokoni 'a e Tipiloma Palofesinale 'i he Fa'u Lao (PDLD) mei he 'Univesiti 'o e Pasifiki Saute.

KAU NGAUE POUPOU

Na'e fakangaue'i 'a Ms. Tupou Kafa, ko e Kalake lau 'aho 'a e 'Ofisi 'i he 'aho **2 Sanuali 2013.** Na'a ne mavahe mei he 'Ofisi hili ha mahina ke ako hono mata'itohi Bachelors of Laws 'i he 'Apiako Emalus, 'Univesiti 'o e Pasifiki Saute, Port Vila, Vanuatu.

Na'e fakangaue'i 'a Ms. Latu Siosi'ana Kalapa ko e Kalake lau 'aho 'a e 'Ofisi 'i he **18 Fepueli 2013.**

Na'e tokotu'u 'e he Komisoni 'a e Kau Ngaue Fakapule'anga 'a Mrs. Pilima Malafu, ki he lakanga ko e talitali kakai lau 'aho 'i he 'aho **21 Fepueli 2013.**

KAU NGAUE KUO FAKAFISI

'I he 'aho **30 Sanuali 2013**, na'e fakafisi ai 'a Ms. Annis Finau Taumoepeau, ko e 'Ofisa Fakahinohino Lao. Kuo faifatongia 'a Ms. Taumoepeau 'i he 'Ofisi 'i he ta'u 'e 6. Ko 'ene fakafisi ke ne fakataha mo hono famili 'i Canberra, Australia.

'I he 'aho **18 Novema 2013**, na'e fakafisi ai 'a Ms. Loupua Sefokuli, ko e 'Ofisa Fakahinohino Lao Tokoni. Kuo faifatongia 'a Mrs. Sefokuli 'i he 'Ofisi 'i he ta'u 'e 5. Ko 'ene fakafisi kae kau ki he Polokalama Langa Fakalakalaka 'a e Ngaahi Pule'anga Fakatahataha (UNDP) ko e 'Ofisa Fekumi Fakalao 'a e Fale Alea.

'I he 'aho **20 Tisema 2013**, na'e fakafisi ai 'a Ms. Silivia Virginia 'Atiola, ko e Fakahinohino Lao Tokoni. Kuo faifatongia 'a Ms. 'Atiola 'i he 'Ofisi 'i he ta'u 'e 4. Ko 'ene fakafisi kae kau ki he polokalama 'a e Polokalama Langa Fakalakalaka 'a e Ngaahi Pule'anga Fakatahataha ko e 'Ofisa Fekumi Fakalao 'a e Fale Alea.

'Oku fakaha atu 'i he **Tepile I** 'a e ngaahi fakaikiiki 'o e kau ngaue.

(3) NGAAHI FAKATAHA MO E NGAAHI AKO 'I MULI

'I he 2013, na'e kau atu 'a e kau memipa 'o e kau ngaue fakafofonga lao ki he ngaahi fakataha mo e ngaahi ako fakavahefonua mo fakavaha'apule'anga 'o fakafofonga'i 'a e Pule'anga Tonga 'i he ngaahi me'a fakalao.

'Oku fakaha atu 'i he **Tepile II** 'a e fakaikiiki 'o e ngaahi fakataha mo e ngaahi ako fakavahefonua mo fakavaha'apule'anga kuo kau atu ki ai 'a e kau ngaue fakafofonga lao 'a e 'Ofisi.

(4) HOKO ATU 'O E AKO LAO

Na'e foaki kia Ms. Joan Puloka, ko e 'Ofisa Fakahinohino Lao Tokoni mo Ms. Rose Kautoke, ko e 'Ofisa Fakahinohino Lao Tokoni 'a e Sikolasipi Kominiueli ke fakakakato 'a e polokalama Tipiloma Palofesinale 'i he Polokalama Fa'u Lao 'o fou 'i he ako fakatouanga (DFL) 'a e 'Univesiti 'o e Pasifiki Saute.

Na'e tali 'a Ms. Marina Moa, ko e 'Ofisa Fakahinohino Lao Tokoni mo Mr. Roman Lemisio Vaihū, ko e 'Ofisa Fakafofonga Lao Tokoni lau 'aho ki he Ngaue Fakalao 'i Tonga 'i he 'aho 25 **Fepueli 2013 'i** he Fakamaau'anga Lahi 'o Tonga.



Fakatata 2 Ouau Tali ki he Ngaue Fakalao (Fakamaau'anga Lahi 'o Tonga, Fepueli 2012)

'Oku hokohoko atu 'a e fehangahangai 'a e 'Ofisi 'o e 'Ateni Seniale mo e ngaahi fakafe'atungia tatau 'o hono ako'i 'a 'ene kau 'Ofisa Fakahinohino Lao ta'u iiki mo te'eki taukei ngaue. 'Oku hokohoko atu 'e he 'Ofisi 'a 'ene polokalama 'o hono fakavave'i 'o e taukei ngaue ma'a 'ene Kau 'Ofisa Fakahinohono Lao 'o fou 'i he ngaahi fevahevahe'aki fakaloto'ingaue 'i he lao, vahe'i 'o e ngaahi kulupu talatalaaki tautau toko ua ki he ngaahi hopo hia, ako lolotonga-'i he-ngaue, tautefito ki hono fa'u 'o e ngaahi tohi ngaue fakalao mo e fakakaukau lelei. 'Oku ma'u monu'ia foki 'a e kau 'Ofisa Fakahinohino Lao 'i he taimi 'oku vahe'i ai kinautolu ke fakafofonga'i 'a e 'Ofisi mo e Pule'anga 'i he ngaahi ako fakalotofonua, fakavahefonua mo fakavaha'apule'anga, pea pehe ki he ngaahi fakataha fakapule'anga.

Na'e 'oange 'a e ngaahi faingamalie kehekehe ki he kau ngaue fakafofonga lao kenau kau atu ki he ngaahi ako fakalao 'a ia na'e fakahoko ai 'a e ako fekau'aki mo e ngaahi me'a fakalao fakavaha'apule'anga 'e ni'ihi.

(5) NGAAHI FAKATAHA MO E AKO NA'E FAKAHOKO 'E HE 'OFISI

Na'e fakahoko 'e he 'Ofisi 'a e Fakataha 'a e Netiuela Lao 'a e Ngaahi 'Otu Motu 'o e Pasifiki hono 32 'i he Senita Fa'onelua 'i he 'aho **5-6 Novema 2013.** Ko e kaveinga 'o e fakataha 'o e ta'u ni ko e "Ngaue'aki Fakalotofonua 'a e Lao Fakavaha'apule'anga: Ngaahi Fakafe'atungia mo e Ngaahi Founga Lelei Taha". Na'e kau mai ki he fakataha 'a e kau fakafofonga 'o e ngaahi lakanga ma'olunga mei he ngaahi fonua memipa 'o e PILON.



Figure 3 'Ateni Seniale Mr. Neil Adsett mo e Tokoni Sekelitali Lahi, Sekelitali 'a e Fakataha'anga 'a e 'Otu Motu 'o e Pasifiki

(6) NGAAHI ME'A FAKALAO FAKAVAHA'APULE'ANGA

Na'e kaunga lahi 'a e 'Ofisi 'o e 'Ateni Seniale ki he ngaahi me'a fakalao fakavaha'apule'anga ma'ae Pule'anga. Ko e ngaahi me'a fakalao fakavaha'apule'anga mahu'inga eni:

(a) Kulupu 'a e 'Esia Pasifiki ki he Fe'ave'aki Fakapulipuli 'o e Pa'anga Kaka

Na'e fakafofonga'i 'e he 'Ofisi 'a e Pule'anga 'i he Fakataha Lahi Fakata'u 'a ia na'e fakahoko 'i Shanghai, PRC. 'Oku kaunga tataki 'e Tonga mo Vanuatu 'a e fa'ahinga poloseki 'e ua ki hono uta 'o e ngaahi faito'o konatapu 'o fou mai 'i he Pasifiki pea hono toe ma'u 'o e ngaahi pa'anga mei he ngaahi hia ta'efaitotonu mei Papua New Guinea. 'Oku taki 'e he 'Ofisi 'a hono fokotu'utu'u 'o e ngaahi ngaue ki hono fakafepaki'i 'o e fe'ave'aki fakapulipuli 'o e pa'anga kaka mo e ngaahi ngaue 'a e ngaahi kautaha pa'anga tautoitoi, koe'uhi ke fakapapau'i 'a e faipau ki he ngaahi Tu'unga FATF Kuo Toe Vakai'i;

(b) 'Ofisi 'o e Komisoni Ma'olunga ki he Ngaahi Totonu 'a e Tangata

Na'e taki 'e he 'Ofisi 'a hono teuteu'i 'e he Pule'anga 'a 'ene vakai fakata'u fakamamani lahi, fakataha mo e 'Ofisi 'o e Palemia mo e Potungaue 'o e Ngaahi Ngaue ki Muli mo e Fefakatau'aki, 'a ia na'e fakahoko 'i Sanuali 2013. 'Oku taki foki 'e he 'Ofisi 'a hono fokotu'utu'u mo e fakahoko 'o e ngaahi fokotu'u kuo tali mei he'ene toe vakai'i 'o e UPR. 'Oku kau ki heni 'a hono poupou'i 'o e ngaahi totonu 'a e ni'ihi 'oku 'i ai honau ngaahi faingata'a'ia mo e fakakaukau'i 'o hono fokotu'u 'o ha kautaha ki he ngaahi totonu 'a e tangata.

(c) Kautaha Fefakatau'aki 'a Mamani

Na'e tokoni'i 'e he 'Ofisi 'a e Potungaue ki he Ngaahi Ngaue Ki Muli mo e Fefakatau'aki 'i hono toe vakai'i 'a e ngaahi tu'utu'uni ngaue fefakatau'aki 'a e Pule'anga 'o fakatatau ki he fokotu'utu'u ngaue 'a e WTO, mo hono fa'u 'o e toe vakai'i. 'E 'oatu 'a e lipooti 'a Tonga ki he WTO 'i Fepueli 2014.

(d) Kautaha Fakavaha'apule'anga 'a e Kolosi Kula

Na'e kumi 'e he 'Ofisi 'a e tokoni 'a e **Kautaha Fakavaha'apule'anga 'a e Kolosi Kula** 'i hono fa'u 'o ha pepa tu'utu'uni ngaue ki he Kapineti 'o fokotu'u 'a hono tali 'o e Lao 'a Loma fekau'aki mo e Fakamaau'anga Hia Fakavaha'apule'anga. 'Oku talanoa'i 'a e pepa mo e ngaahi kautaha felave'i kimu'a pea fakama'opo'opo ki he Kapineti ki he faitu'utu'uni ki he tu'utu'uni ngaue. Ko e fakakaukau mahu'inga 'e taha ko e ngaue ke fakahoko 'a hono ngaue'aki fakalotofonua 'o e lao 'e ni'ihi koe'uhi ke ngaue'aki 'a e Lao 'a Loma 'i he Pule'anga. 'Oku kau ki heni 'a e ngaahi fakamole 'o hono toe vakai'i 'o e lao 'o ka fakahoko.

(e) Kautaha Fakavaha'apule'anga 'a e Kolosi Kula

'Oku muimui'i 'e he 'Ofisi 'a e tokoni fakatekinale ki hono fa'u 'o e ngaahi tu'utu'uni ke ngaue ki he ngaahi founga matu'uaki 'o e maumau fakavaha'apule'anga ki he ngaahi tu'unga 'o e me'a fakatu'upake. Kuo aofangatuku 'a e toe vakai'i 'e Tonga 'a e IDRL pea 'e fakahu atu ki Kapineti 'i he ngaahi mahina si'i ka hoko mai. 'E kau ai ha taha 'o e kau ngaue ki he IDRL 'a ia 'e fakahoko 'e he **Kautaha Fakavaha'apule'anga 'a e Kolosi Kula** 'i Sanremo, Italy.

(f) Konivesio 'a e UN ke fakafepaki'i 'a e Ta'efaitotonu

'Oku fakakaukau'i 'e he 'Ofisi 'a e tokoni fakatekinale 'a ia 'oku foaki mai 'e he Polokalama Langa Fakalakalaka 'a e Ngaahi Pule'anga Fakatahataha ke tokoni'i 'a e Pule'anga kene tali 'a e UNCAC.

(g) Konvesio 'o e Kosilio 'a 'Iulope ki he Hia Fakakomipiuta 'o Ngaue'aki 'a e 'Initaneti

Kuo tali 'e he Kapineti ke tohi kole 'a e Pule'anga ki he **Kosilio 'a 'Iulope** ke fakaafe'i ia ke tali 'a e Konivesio Budapest. Ko Tonga 'a e fuofua fonua 'i he pasifiki ke tohi kole. Kuo kole foki ki he Polokalama 'a e Kominiueli ki he Hia Fakakomipiuta 'o Ngaue'aki 'a e 'Initaneti ke fakahoko 'a e tokoni fakatekinikale mo e ako ke fakamalohia 'a e fa'unga mo e lao hia fakakomipiuta 'o ngaue'aki 'a e 'initaneti 'a e Pule'anga.

(7) NGAAHI POLOKALAMA KI HONO PULE'I 'O E KAU NGAUE

Na'e hokohoko atu pe 'a e fengaue'aki vaofi 'a e AGO mo e Komisoni 'a e Kau Ngaue Fakapule'anga 'i he ngaahi polokalama kehekehe felave'i mo e kau ngaue.

3 FALE'I FAKALAO

Na'e hokohoko atu 'a e 'Ofisi ke tuku atu 'a e fale'i fakalao ki he Ngaahi Potungaue 'a e Pule'anga, Ngaahi Potungaue (Department) mo e Ngaahi Kautaha. Na'e fakahoko eni 'i he sipinga tohi 'i ha founga taimi fe'unga pea 'i hono fiema'u, na'e tuku atu 'a e fale'i fakalao 'i he lea pe fou 'i he 'imeili.

'Oku tuku atu 'e he Fakahinohino Lao pule 'a e lahi taha 'o e fale'i fakalao, 'oku fakahoko ki he 'Ateni Seniale 'a e ngaahi me'a felave'i mo e fale'i fakalao 'i hano fiema'u. 'Oku kei 'i ai pe 'a e fakafe'atungia 'o e hu ki he ngaahi teitapeisi lao faka'elekitulonika koe'uhi ko e ngaahi fakamole, pea pehe foki ki ha feitu'u ma'ae laipeli lao. 'Oku 'amanaki ke haea 'e he 'Ofisi ha toe feitu'u 'i 'olunga 'i hono feitu'u 'ofisi 'i he taimi ni 'i he Taumoepeau Building, koe'uhi ko ha laipeli lao fe'unga mo ha ngaahi 'ofisi lahi ange ma'ae 'Ofisa Fakahinohino Lao.

Na'e 'oatu 'e he Potungaue 'a e tohi lao 'e **191** lolotonga 'a e 2013. 'Oku fakaha atu 'i he **Tepile III** 'a e lahi 'o e ngaahi fale'i kuo tuku atu ki he Ngaahi Potungaue (Ministries), Ngaahi Potungaue (Departments) mo e Ngaahi Kautaha.

4 LAO

(1) KOMITI LAO

Na'e hokohoko atu 'a e fakahoko 'e he 'Ofisi 'o e 'Ateni Seniale 'a e ngaahi fatongia fakasekelitali lolotonga 'a e ta'u ki he Komiti Lao. Na'e hokohoko atu 'a e fakataha 'a e Komiti lolotonga 'a e ta'u ke vakai ki he ngaahi fakatonutonu ki he ngaahi lao lolotonga pea ke sivi'i 'a e ngaahi Lao Fakaangaanga ke tali 'e he Kapineti 'a 'Ene 'Afio ki hono fakahu ki he Fale Alea, pea mo e ngaahi tu'utu'uni fakaangaanga fo'ou 'a ia 'oku 'amanaki fa'u 'e he ngaahi ma'u mafai totonu.

Ko e kau memipa eni 'o e Komiti Lao 'a e Pule'anga:

1) *Minisita Lao mo e Ngaahi Pisinisi 'a e Pule'anga (Sea);*
2) *Tokoni Palemia (Tokoni Sea);*
3) *'Ateni Seniale;*
4) *Minisita Polisi, Pilisone mo e Ngaahi Ngaue Tamate Afi;*
5) *Minisita Pa'anga, Palani Fakafonua mo e Ngaahi Ngaue Tanaki Pa'anga Hu Mai;*

6) *Sekelitali Lahi mo e Sekelitali ki he Kapineti;*

7) *Fakahinohino Lao Pule; mo e*

8) *Potungaue Lao, ko e Sekelitali.*

Na'e fakakau mai 'e he Komiti Lao 'a e ni'ihi 'o fakatefito 'i he ngaahi me'a 'oku talanoa'i, mei he Ngaahi Potungaue (Ministries), Potungaue (Department) mo e Kautaha (Agencies) ke tokoni ki he ngaahi talanoa 'a e Komiti Lao.

'Oku fakaha atu 'i he **Tepile IV** 'a e Ngaahi Lao Fakaangaanga pea 'oku ha atu 'i he **Tepile V** 'a e Ngaahi Tu'utu'uni, 'a ia kuo vakai ki ai 'a e Komiti Lao, pea nau fakapaasi.

Ko e kulupu fa'u lao 'a e 'Ofisi 'oku taki ia 'e he 'Ateni Seniale pea poupou ki ai 'a e Fakahinohino Lao Pule mo e 'Ofisa Fakahinohino Lao 'e taha, 'Ofisa Fakahinohino Lao Tokoni 'e taha mo e fakatonu lea 'e ua.

Na'e hokohoko atu pe 'a e femou'ekina 'a e polokalama lao 'i he 2013. Ko e Ngaahi Lao Fakaangaanga mo e ngaahi tu'utu'uni fakaangaanga 'oku tomu'a fakangofua pea faka'ata 'e he Kapineti ke fa'u pe fakahoko 'a e ngaue ki ai. 'Oku 'ave leva ia ki he 'Ofisi mo e Potungaue ki hono fa'u faka'osi, kimu'a pea fakahu atu ki he Komiti Lao 'a e Kapineti ki hono sivi'i 'o fakatatau ki he tu'utu'uni ngaue mo e founga fa'u lao. 'Oku toe fakahu atu 'a e Ngaahi Lao Fakaangaanga mo e ngaahi tu'utu'uni ki he Kapineti ke tali faka'osi ki hono 'ave ki Fale Alea pe ke 'ave ki he ma'u mafai pule ke 'oatu ha lao fakalahi 'i he 'osi pe hono faka'ata mei he tu'unga tu'utu'uni ngaue mo e fa'u lao.

Lolotonga 'a e fakataha 'a e Fale na'e 'i ai 'a e fakatonutonu mahu'inga ki he Konisitutuone na'e fokotu'u 'e ha memipa taautaha 'a ia na'a ne fokotu'u 'a e ngaahi fakatonutonu mahu'inga ki he Konisitutone. Na'e kau ki heni 'a hono fili fakahangatonu 'o e Palemia 'e he kau memipa 'e 26 kuo fili mei he vahenga fili, ko hono to'o 'o e totonu 'o ha Palemia ke fokotu'u ha Kau Minisita 'o e Kapineti 'a ia na'e 'ikai ke fili, ko hono fakangatangata 'o e ngaahi mafai 'o ha Pule'anga tauhi fakataimi, 'a ia 'oku 'i ai hili ha fili lahi 'o a'u ki he taimi 'oku fokotu'u ai ha Palemia mo e Kapineti fo'ou. Na'e 'i ai 'a e felauaki lahi 'i he lao fakaangaanga taautaha, neongo ia na'e 'ikai tali ia.

Kuo 'i ai 'a e kau 'Ofisa Fakahinohino Lao 'e 8 'i he 'Ofisi kuo nau fakahoko 'a e ako fa'u lao ki he faka'ilonga ako Post-Graduate Diploma 'i he Fa'u Lao, 'a ia 'oku fakahoko 'e he 'Univesiti 'o e Pasifiki Saute. 'Oku toe 'i ai 'a e 'Ofisa Fakahinohino Lao 'e ua ke na fakahoko 'a e ako. Koe'uhi ko e lahi 'o e ngaue lolotonga mei he talatalaaki hia, ko e 'Ofisa Fakahinohino Lao pe 'e taha 'oku malava kene ngaue ki hono ngaue'i 'o e polokalama lao.

'Oku hokohoko atu 'a e ma'u monu'ia 'a e 'Ofisi mei he ngaue lelei mo 'aonga 'a 'ene foomu tu'upau faka'elekitulonika ki he lao 'a ia kuo fa'u ki hono fa'u 'o e ngaahi lao Tonga. Ko e kotoa 'o e ngaahi lao 'oku pulusi 'i he uepisaiti www.crownlaw.gov.to/cms, 'oku 'i he fotunga faka'osi mo e fakaangaanga fakatou'osi. 'Oku fanongonongo ki he kakai mo e memipa felave'i 'o fekau'aki mo e ngaahi lao fo'ou 'o fou 'i he Potungaue takitaha pea fou 'i he ngaahi fakaha 'imeili mei he 'Ofisi. 'I hano fiema'u, 'oku pulusi 'e he 'Ofisi 'i he ngaahi nusipepa fakalotofonua

'a e ngaahi lao fo'ou 'a ia 'oku lolotonga ngaue'i pe kuo paasi ke fakahoko ki ai ha ngaahi fakamalanga 'a e kakai pe tufaki.

Neongo ia, ko e ngaahi tefito'i fakafe'atungia 'i he polokalama fa'u lao 'a e 'Ofisi 'oku kei hoko pe ko e taimi 'oku fiema'u ke liliu ai 'a e ngaahi lao ki he Faka-Tonga, pea ke a'usia 'a e feliuliuaki 'i he ngaahi taumu'a fakalao 'a e Pule'anga. Taimi 'e taha 'i he Fale, 'oku ngaue'aki 'a e liliu Faka-Tonga 'o e ngaahi lao ko ha makatu'unga fakapolitikale ke fakaanga'i 'a e ngaahi Lao Fakaangaanga 'a e Pule'anga kuo fokotu'u pe ke toloi.

'Oku hokohoko atu 'a hono aofangatu'u 'o hono fakatahataha'i 'o e ngaahi Lao 'o Tonga 'o a'u ki he 2011, 'a ia 'oku taki 'e he 'Ateni Seniale fakataha mo e tokoni 'a ha kau 'Ofisa Fakahinohino Lao mo e kau ngaue poupou. Na'e tuai 'a e fakama'opo'opo koe'uhi ko e liliu Faka-Tonga, koe'uhi ko e faingata'a ai pe 'o e lea Faka-Tonga. 'Oku 'amanaki ko e liliu faka'osi 'o e ngaahi lao Faka-Tonga kuo fakatahataha'i 'e lau fakatonutonu 'i he ngaahi mahina ka hoko mai, pea fakama'opo'opo leva ke pulusi, 'o tefito 'ene fou 'i he ngaahi me'angaue faka'elekitulonika, tautefito ki he uepisaiti 'a e 'Ofisi, 'i he 'uluaki vaeua 'o e ta'u hoko.

5 HOPO

(1) FAKAMAAU'ANGA TANGI

Ko e Palesiteni 'o e Fakamaau'anga Tangi ko e Fakamaau Lahi Scott pea 'oku kau ki he sea 'o e Fakamaau'anga Tangi 'a e Ongo Fakamaau Burchett mo Moore 'o 'Aositelelia, mo Fakamaau Salmon mo Handley 'o Nu'usila. Na'e kau 'a e Kalauni 'i he tangi 'e **18**.

(2) FAKAMAAU'ANGA LAHI

'Oku hokohoko atu 'a hono taki 'e he 'Eiki Fakamaau Lahi Michael Dishington Scott 'o 'Ingilani, 'a e Fakamaau'anga Lahi pea 'oku tokoni ki ai 'a Fakamaau Robert Shuster 'o 'Ingilani. Lolotonga 'a e ta'u, na'e fetongitongi 'a e ongo fakamaau Fakamaau'anga Lahi fakatou'osi 'i he Ngaahi 'A'ahi ki 'Eua, Ha'apai mo Vava'u. Na'e 'i ai 'a e ngaahi hopo 'a e Kalauni 'i he kotoa 'o e ngaahi 'a'ahi.

(A) NGAAHI HOPO HIA

Na'e kei to'o ai pe 'e he ngaahi hopo hia 'a e lahi taha 'o e ngaue hopo 'a e kau ngaue fakafofonga lao. Na'e kamata ke faka'ilo 'e he 'Ofisi 'a e ngaahi hia 'i he mafai 'o e Fakamaau'anga Polisi ki he Vahenga Polisi 1.

Ko e ngaahi fika eni ki he ngaahi hopo hia, 'i he Fakamaau'anga Lahi 'i he faka'osinga 'o e 2013:

Ngaahi Hopo Hia na'e Fakatatali mei he Ngaahi Ta'u Kimu'a	*174*
Ngaahi hopo fo'ou lolotonga 'a e 2013	*148*
Fakakatoa 'o e Ngaahi Hopo Hia ki he 2013	*322*
Fakakatoa 'o e Ngaahi Hopo Hia kuo tapuni 'i he 2013	*157*
Ngaahi Hopo 'oku Fakatatali	*165*

(B) NGAAHI HOPO SIVILE

Na'e lahi foki mo e ngaahi hopo sivile na'e kau ki ai 'a e Kalauni.

Ngaahi Hopo Sivile na'e Fakatatali mei he Ngaahi Ta'u Kimu'a	*19*
Ngaahi Hopo Sivile Fo'ou ki he 2013	*14*
Fakakatoa 'o e Ngaahi Hopo Sivile ki he 2013	*35*
Fakakatoa 'o e Ngaahi Hopo Sivile kuo tapuni ki he 2013	*7*
Ngaahi Hopo Sivile 'oku Fakatatali	*26*

(C) NGAAHI ME'A FEKAU'AKI MO E FAMILI

Na'e kei hokohoko atu pe 'a hono fakahoko 'e he Fakamaau'anga Lahi ki he kau ngaue fakafofonga lao 'a e ngaahi tohi kole fekau'aki mo e ngaahi me'a fakafamili 'i hono mafai ke tu'utu'uni ki he Famili ke fakahoko ha ngaahi lipooti fakapulipuli *Tauhia 'o e Fanau* ki he ngaahi me'a 'oku kaunga lelei mo e fanau. 'Oku hokohoko atu pe 'a e hoko 'a e ngaue ko eni ko ha konga lahi 'o e ngaue 'a e kau ngaue fakafofonga lao. Ko e lahi taha 'o e ngaahi tohi kole ko eni ko e ohi 'o e fanau ta'emali 'i he Lao ki hono

Tauhi 'o e Fanau Ta'emali [Cap 30], mo e ngaahi tohi kole ki hono tauhia 'o e fanau ta'emali 'i he *Lao ki he Tauhia 'o e Fanau 2004.*

Ko e ngaahi lipooti tauhia 'o e fanau fakakatoa 'e **104** 'a ia na'e fakahoko 'e he kau ngaue fakafofonga lao ki he Fakamaau'anga lolotonga 'a e 2013.

(D) FAKAMAAU'ANGA KELEKELE

Na'e hokohoko atu pe 'a e ngaahi hopo 'i he Fakamaau'anga Kelekele 'a ia na'e kau ki ai 'a e Kalauni. 'Oku anga pehe ni 'a e ngaahi fika:

Ngaahi Hopo Kelekele na'e Fakatatali mei he Ngaahi Ta'u Kimu'a	*30*
Ngaahi Hopo Kelekele Fo'ou Lolotonga 'a e 2013	*10*
Ngaahi Hopo Kelekele Fakakatoa ki he 2013	*40*
Ngaahi Hopo Kelekele Fakakatoa kuo Tapuni ki he 2013	*8*
Ngaahi Hopo Kelekele 'oku Fakatatali	*32*

(3) NGAAHI HOPO MAHU'INGA

(a) *Potungaue Polisi v Telefoni*, CV 44/12

Ko e hopo eni 'o hono toe vakai'i fakafakamaau'anga 'o ha tu'utu'uni na'e fakahoko 'e he Fakatonutonu'anga 'o e Ngaahi 'Api Popula 'o fekau'aki mo e fakamo'oni 'a e kaunga hia 'a ia na'e fakahoko 'i he ui 'o ha hopo tautea 'o ha 'ofisa 'o e 'api popula.

Ko e 'ofisa 'o e 'api popula faka'iloa na'e faka'ilo ki he faka'ilo 'e fa 'o e 'ulungaaanga ta'e fakapolofesinale mo ta'efalala'anga 'o fakatatau ki he Lao ki he Ngaahi 'Api Popula. Na'e tukuaki'i 'o pehe na'a ne, fakataha mo e ni'ihi kehe, hifo koloa fakafufu 'a e koloa hu mai ta'efakalao ki he kau ngaue popula pea ne tokoni'i 'a e kau ngaue popula 'e ni'ihi kenau hola.

Lolotonga 'a hono hopo'i 'o e ngaahi faka'ilo tautea, na'e ui 'e he talatalaaki 'a e kau ngaue popula 'a ia na'a nau fakahoko 'a e fakamo'oni 'o e 'ulungaaanga ta'efakalao na'e fakahoko 'e he faka'iloa. Neongo ia na'e pehe 'e he Sea 'o e Fakatonutonu'anga

'o e 'Api Ngaue Popula ko e fakamo'oni 'a e kau ngaue popula na'e tanaki ia ko e fakamo'oni 'a e kaunga hia, pea fakatatau ki he kupu 126 'o e Lao ki he Fakamo'oni, 'e 'ikai lava ke fakahalaia'i ha faka'iloa 'o makatu'unga 'i he fakamo'oni 'a ha kaunga hia. Na'e tukuange leva 'a e faka'iloa mei he ngaahi faka'ilo.

Na'e faile leva 'e he Kalauni, 'o fakafofonga'i 'a e Potungaue Pilisione, ha tohi kole ki ha toe vakai'i fakafakamaau'anga, 'o e tu'utu'uni 'a e Fakatonutonu'anga fekau'aki mo e fakamo'oni 'a e kaunga hia. Na'e pehe 'e he Kalauni na'e hala 'i he lao ke ngaue'aki 'e he Fakatonutonu'anga 'a e kupu 126 'o e Lao ki he Fakamo'oni ki he ngaahi founga tautea. Na'e tali 'e he Fakamaau'anga Lahi 'a e fakakikihi ko eni, pea ne pehe ko e kupu 126 'o e Lao ki he Fakamo'oni 'oku ngaue'aki pe ki he ngaahi fakatonutonu hia, 'o 'ikai ko e ngaahi fakatonutonu tautea pe sivile.

Na'e faka'ata leva 'a e tohi kole. Na'e fakahoko leva 'a e hopo ki he Fakatonutonu'anga 'o e 'Api Ngaue Popula ke toe fakakaukau'i 'ene tu'utu'uni, pea ke hoko atu 'a e faka'ilo tautea 'o e 'ofisa 'o e 'api popula.

(b) *Sevele and anor v Pohiva and ors*, CV 87/12

Ko e toe vakai'i fakafakamaau'anga eni 'e he Palemia malolo koe'uhi Komiti Faka-Fale Alea Makehe 'a ia na'e fokotu'u 'e he Fale Alea ki hono fakahoko 'o e ngaahi fakafotunga lea fakatupu kovi fekau'aki mo e Palemia malolo mo e Minisita 'e taha 'i he'enau lipooti 'o e ngaue na'e fakahoko 'e he Pule'anga 'o felave'i mo hono toe langa 'o Nuku'alofa hili 'a e ngaahi fakamoveuveu 'o e 2006.

Ko e tefito'i kaveinga 'i he Fakamaau'anga pe na'e malu'i 'a e lipooti 'a e Komiti Faka-Fale Alea Makehe mei hano toe vakai'i fakafakamaau'anga 'o makatu'unga 'i he totonu.

Na'e toe fakapapau'i 'e he Fakamaau'anga Lahi ko e tu'unga 'i Tonga na'e mahino pea ko ia kuo fakahoko 'i hono fakahoko 'o e ngaahi fakatonutonu 'i he Fale Alea 'e 'ikai lava ke sivi'i 'i tu'a 'i he fale alea koe'uhi ko e taumu'a 'o hono poupou'i ha ngaue. Na'a ne toe tanaki atu foki 'oku 'i ai 'a e mafai 'o e Fakamaau'anga Lahi ke fakakaukau'i pe ko e me'a kuo fakahoko 'i he Fale 'oku fakatatau mo e Konisitutone mo e lao pea 'e 'ikai lava 'e he 'eke 'o e totonu ke to'o 'a e mafai ko ia.

Na'e pehe leva 'e he Fakamaau'anga Lahi 'o fekau'aki mo e ngaahi fakatonutonu 'a e Fale mo 'ene ngaahi komiti, ko ha tukuaki'i 'o e maumau'i 'o e ngaahi lao 'o e fakamaau totonu 'a ia 'oku 'ikai ke ne fakatupu fakahangatonu ha maumau'i 'o ha kupu mavahe 'o e konisitutone 'oku 'ikai ke ne 'oange ha tu'unga mafai 'a ia 'e ala kaunoa ai 'a e Fakamaau'anga Lahi. Na'e aofangatuku leva 'a e Fakamaau'anga kapau na'e 'i ai ha maumau 'o e fakamaau totonu, neongo ka kuo fakatomala, ko e me'a ia 'a e Fale ke fakatonutonu, kae 'ikai ko e Fakamaau'anga Lahi.

Na'e 'ikai tali ai 'a e tohi kole ke fakangofua 'a hono faile 'o e toe vakai'i fakafakamaau'anga.

Na'e 'ikai toe 'ave 'a e hopo ki he Fakamaau'anga Tangi.

(c) *Schaumkel and ors v Vakameitangake and ors*, AC 14/12

Ko e hopo ko eni ko e fakakikihi fakafamili 'i he kelekele fakafamili. Ko e talatalaaki mo e faka'iloa 'uluaki 'oku na tautehina kui. Ko e fa'e 'a e talatalaaki mo e tamai 'a e faka'iloa 'uluaki ko e tuonga'ane mo e tuofefine, pea ko kinaua pe 'a e fanau 'a e ma'u kelekele fakamuimui, ko e kui tangata 'a e ongo fa'ahi ki he hopo. Ko e tamai 'a e faka'iloa 'uluaki na'e 'ea ki he kelekele, ka na'a ne fakangofua 'a e fa'e 'a e talatalaaki ke nofo 'i he kelekele mo hono mali ke tauhi 'a 'ena ongo matu'a. Na'e fakalelei'i 'e he tamai 'a e talatalaaki 'a e kelekele 'aki 'a e fakangofua 'a e tamai 'a e faka'iloa 'uluaki, pea na'e nofo 'a e famili 'o e talatalaaki ai 'o laka hake 'i he ta'u 'e 20.

'I he taimi na'e malolo ai 'a e fa'e 'a e faka'iloa 'uluaki, na'e pehe 'e he talatalaaki na'e palomesi 'e he tamai 'a e faka'iloa 'uluaki 'a e kelekele ma'ae talatalaaki. Me'apango, ne 'osi malolo 'a e tamai 'a e faka'iloa 'uluaki 'i he taimi ko ia.

'O 'ikai ha 'ilo ki ai 'a e talatalaaki, 'i he malolo 'a e tamai 'a e 'uluaki faka'iloa, na'e fetongi lisi fakahangatonu 'e he Minisita Fonua 'a e kelekele 'aki 'a 'ene loto ki ai, 'o fakalaka mei he 'ea, 'a ia ko e foha lahi, ki he faka'iloa 'uluaki, 'a ia ko e foha hono ua.

Na'e faile leva 'e he talatalaaki mo 'ene tamai 'a e 'eke 'i he Fakamaau'anga Kelekele, faka'iloa 'uluaki, ko e foha hono ua, na'e ta'efakalao, pea na'e 'ikai 'oange 'e he Minisita ha fanongonongo mo 'oange ki he talatalaaki ha faingamalie ke ma'u 'a e kelekele koe'uhi na'e lolotonga nofo 'a e famili 'o e talatalaaki 'i he kelekele.

Na'e tu'utu'uni 'e he Fakamaau'anga Kelekele 'e 'ikai lava ke tali 'a e 'eke 'a e talatalaaki koe'uhi, kapau na'e 'i ai ha palomesi 'a e tamai 'a e faka'iloa 'uluaki ke 'oange 'a e kelekekele ki he talatalaaki, 'oku 'ikai 'oange 'e he palomesi ia ki he talatalaaki ha totonu fakalao pe tu'unga ki he kelekele, pea kuo 'ikai toe 'aonga 'i he taimi na'e malolo ai 'a e tamai 'a e faka'iloa 'uluaki. Na'e 'i he Fakamaau'anga Kelekele 'a e sio na'e 'ikai fiema'u ia ke fakapapau'i pe ko e fetongi lisi 'o e kelekeleke ki he faka'iloa 'uluaki na'e ta'efakalao pe 'ikai. Na'e tangi 'a e talatalaaki ki he Fakamaau'anga Tangi.

Na'e fakakaukau'i 'e he Fakamaau'anga Tangi 'a e hopo 'i he founga kehe. Na'e fiema'u ke ne fakapapau'i pe ko e fetongi lisi fakahangatonu mei he tamai, 'o fakalaka mei he 'ea, 'o hangatonu ki he faka'iloa 'uluaki ko e foha hono ua, na'e fakalao mo potupotu tatau felave'i mo e hoko ki he kelekele 'i he famili. Na'e fakakikihi 'a e taha tangi na'e maumau'i 'e he fetongi lisi 'a e Lao ki he Kelekele, pea ko e kelekele na'e totonu ke tukuange ki he Kalauni, pea na'e totonu ke fakahoko 'e he Minisita 'a e ngaahi faka'eke'eke pe ko e kelekele na'e 'ata, pea 'ikai nofo'i, kimu'a pea ne foaki 'a e kelekele ki he faka'iloa 'uluaki.

Na'e fakafalala 'a e hopo 'i he fa'unga fakalao 'o e hoko ki he kelekele. Na'e pehe 'ehe Fakamaau'anga Tangi kuo pau ke faka'uhinga'i 'a e ngaahi kupu 'oku ngaue, pea ke ta'ofi 'a hono fakatupu ha ngaahi ola fakatu'upake fekau'aki mo e kelekele. Na'e tali 'e he Fakamaau'anga ko e tukufakaholo 'o e kelekele na'e fakahokohoko 'o makatu'unga 'i he lahi taha 'i he laine tangata, pea kuo pau ke fakamu'omu'a 'a e kupu ko ia 'o mahulu ange 'i he ngaahi kupu kehe 'oku tu'utu'uni ki he hoko ki he kelekele. Ko ia ai ko e kelekele na'e hoko mei he tamai, 'o fakalaka mei he 'ea, koe'uhi kuo ne tukuange 'a 'ene ngaahi totonu, pea ko ia ai ko e taha talatalaaki 'uluaki, ko e taha hoko 'i he laine, na'a ne ma'u ki he kelekele.

'I he felave'i mo e kaveinga hono ua pe na'e 'i ai ha totonu fakalao 'a e ongo talatalaaki ke na 'i he kelekele, na'e pehe 'e he Fakamaau'anga ko e me'a pe na'e 'i he ongo talatalaaki ko ha laiseni 'a ia na 'e 'ikai ko ha totonu fakalao, pea ko e laiseni ko ia 'e ala fakata'e'aonga'i 'i ha fanongonongo fe'unga. Fakatatau ki ai, na'e 'ikai tu'utu'uni 'a e Minisita 'i he lao ke fakaafe 'a e ongo talatalaaki ke fakaha ha loto felave'i mo e fetongi lisi 'o e kelekele ki he talatalaaki hono ua.

Ko ia ai, na'e fakata'e'aonga'i 'a e 'eke 'a e ongo talatalaaki, pea na'e foaki ki he faka'iloa 'uluaki 'a e totonu ki he kelekele. Na'e tuku atu 'a e hopo ki he Fakamaau'anga Kelekele ke tu'utu'uni ki he ngaahi me'a ki he totonu mo ha ngaahi me'a ki he totongi huhu'i.

(d) *Rex v Veimau Leone*, CR 202/11

Ko e faka'iloa 'i he hopo ko eni ko e 'inisipekita Polisi Tonga. Ko e 'ofisa polisi ma'olunga taha ia kuo 'osi faka'ilo 'i he Pule'anga. Ko e faka'iloa na'e 'ofisa pule 'i he Polisi Tonga 'i he motu 'o 'Eua. Koe'uhi ko ia na'a ne totonu ki he ngaahi 'inasi 'o e 'utu ke ngaue'aki 'i ha saliote misini polisi. Kaekehe na'e ngaue'aki 'e he faka'iloa, 'i ha vaha'a taimi lahi, 'a e ngaahi konga 'o e 'inasi 'utu ke fakafonu 'aki 'a 'ene saliote misini taautaha.

Na'e faka'ilo 'a e faka'iloa ki he faka'ilo 'e taha ko e 'Ofisa faka-pule'anga 'oku ne ngaue kakaa'i ha pa'anga pe koloa 'a e pule'anga. Na'e fakahalaia'i ia 'e he 'Eiki Fakamaau Lahi. Na'e hilifaki tautea ia ki he ngaue popula mahina 'e 18, ka ko e mahina 'e ono na'e toloi 'i he ta'u 'e ua, pea ko ia ai na'e tu'utu'uni pe ke ne ngaue'i 'a e ngaue popula mahina 'e 12.

Kuo 'osi tangi 'a e faka'iloa ki he Fakamau'anga Tangi 'i hono fakahalaia'i mo e tautea fakatou'osi.

(e) *Rex v Bloomfield & Fakava*, CR 212-213/10

Ko e hopo kaka lahi taha eni kuo 'osi faka'ilo 'i Tonga, 'i he mahu'inga 'oku laka hake 'i he $300,000 pa'anga, 'a ia na'e kakaa'i ai 'e he faka'iloa 'e toko ua 'a e pa'anga, 'i he'ena ngaue ko e ongo fale'i folau, ko e ngaue ma'ae kautaha folau 'a ia ko e fakafofonga pe ia 'e taha 'i he Pule'anga ma'ae Air New Zealand.

Hili ha ngaahi 'aotita fakaloto'ingaue, na'e ma'u ai 'a e ngaahi nounou lahi 'a e ongo fale'i folau 'i he'ena pa'anga 'oku fakahu faka'aho mei hono fakatau 'o e ngaahi tikite. Hili ha toe fakatotolo, na'e toki ma'u 'a e tu'unga totonu 'o e kakaa'i 'o e pa'anga 'i he pa'anga 'e lau afe kuo mole mei he kautaha folau.

Na'e ma'u ko e kaka na'e fakahoko 'i he ngaahi founga 'e tolu. 'Uluaki, 'aki hono 'oatu 'o e ngaahi tohi mo'ua loi ki he kau kasitoma mo'oni, ke totongi 'a e ngaahi tikite ma'ae kau pasese, 'a ia kuo nau 'osi totongi 'a e ngaahi tikite ki he kautaha folau, 'o fou 'i he faka'iloa, pe 'oku te'eki kenau totongi, pea kuo 'oange 'e he faka'iloa 'a e ngaahi tikite ta'etotongi kenau folau. Ko e founga hono ua ko hono kaniseli 'o e ngaahi tikite hili hono totongi pea 'oatu, pea na'e ngaue'aki leva 'a e pa'anga ke totongi 'aki ha ngaahi tikite kehe, pe na'e fa'o ia 'e he fale'i folau. Ko e founga hono tolu ko e matu'aki 'ikai pe fakahu 'e he ongo fale'i folau ia 'a e pa'anga faka'aho na'a na tanaki mei he pa'anga hu mai, pea na'a na ngaue'aki 'a e ngaahi 'uhinga 'e totongi 'a e pa'anga.

Na'e tali halaia 'a e faka'iloa 'e taha 'i he 'aho 'o e hopo ki hono kakaa'i 'o e pa'anga na'e ofi 'i he $80,000. Na'e hilifaki tautea ia ki he ngaue popula 'i he ta'u 'e 3 mo e mahina 'e 3, ko e ta'u 'e 1 na'e toloi 'i he ta'u 'e 2, pea ko ia ai na'e tu'utu'uni ia ke ne ngaue'i pe 'a e ngaue popula ta'u 'e 2, mahina 'e 3.

Na'e nofo pe 'a e faka'ilo 'e taha ki ha tali tonuhia, pea ne fokotu'u 'a e Kalauni ke fakamo'oni'i ki ha kau sula. Ko e mahu'inga fakakatoa 'o e mole 'o fakatatau ki he mahu'inga na'e tukuaki'i ki ai na'e laka hake 'i he pa'anga 'e $204,000. Na'e fakahoko 'a e hopo 'i he uike 'e tolu, pea na'e fili 'a e faka'iloa ke 'ikai fakahoko ha'ane fakamo'oni pe ui ha fakamo'oni. Neongo ia na'e fakahu atu 'e he faka'iloa 'o fou 'i he'ene fakafofonga lao kuo 'ikai fakamo'oni'i 'e he Kalauni 'a e mahu'inga kakato 'o e kaka kuo faka'ilo. Neongo ia ko e fakahu atu ko ia na'e 'ikai ko e lao, koe'uhi na'e fiema'u pe ke fakamo'oni'i 'e he Kalauni 'a e konga 'o e mahu'inga ko ia.

Na'e fakahalaia'i 'e he kau sula ki he faka'ilo 'e taha ko e kakaa'i ha pa'anga. Na'e hilifaki tautea leva 'i he makatu'unga na'e fakamo'oni'i 'a e mahu'inga kakato 'o makatu'unga 'i he fakamo'oni 'a e Kalauni, ka 'i he lelei ma'ana, na'e faka'ata 'a e fakasi'isi'i tautea koe'uhi ko 'ene fuofua fakahoko ia ha hia, pea koe uesia ki he'ene fanau 'e 5 mo e husepaniti 'oku suka 'a ia 'e ala lahi.

Na'e ngaue'aki 'e he Fakamaau'anga Lahi 'o kamata 'i he ta'u 'e 5, mei he ta'u 'e 7 'a e tautea lahi taha ki he kakaa'i 'o ha pa'anga, pea holoki ki he ngaue popula ta'u 'e 4 mo e mahina 'e 4. Na'e tautea toloi leva 'e he Fakamaau'anga 'a e mahina 'e 12 'i he ta'u 'e 1, pea ko ia ai ko e faka'ilo ke ne ngaue'i pe 'a e ta'u 'e 3, mahina 'e 4.

Na'e 'ikai tangi 'a e faka'iloa ki he Fakamaau'anga Tangi.

6 POLOKALAMA 'A E SEKITOA LAO / POLOSEKI

(1) AKO MA'AE MA'U'ANGA FAKAMATALA 'A TONGA KI HONO FAKAFEPAKI'I 'O E TAUTOITOI

'I Ma'asi 2013, na'e fakahoko ai 'e he 'Ofisi 'a e polokalama ke fakahoko ha ako ma'ae ma'u'anga fakamatala ki hono fakafepaki'i 'o e tautoitoi ma'ae ngaahi kautaha takitaha. Na'e faka'ali'ali eni 'i he ako ma'ae ma'u'anga fakamatala Ready Pasifika 'a ia kuo fakahoko 'i he vahefonua. Na'e kau mai 'a e kau fakafofonga mei he Polisi Tonga, Kasitomu, Kau Tau 'a 'Ene 'Afio mo e 'Ofisi. Na'e vahevahe 'a e kau fakafofonga ki he ngaahi kulupu pea 'oange mo e ngaahi fakatata kenau fokotu'utu'u 'a e ngaahi founga, faka'ilonga'i 'a e ngaahi mafai fakalao ke ngaue'aki 'i hono fakatotolo mo e puke 'o e kau maumau lao tautoitoi. Ko e ngaahi fakatata na'e fekau'aki mo e ngaahi tu'unga tautoitoi 'i he mala'e vakapuna, 'i ha fakatata fekau'aki mo e kongatahi, 'i he fonua pea pehe foki ki ha tukunga fe'ave'aki fakafufu 'o e pa'anga kaka mo e fakapa'anga 'o e tautoitoi. Ko e ako na'e poupou ki ai 'a e Potungaue Ngaue ki Muli mo e Fefakataua'aki 'a 'Aositelelia, pea kaunga-taki 'e he 'Ofisi, Polisi 'a e Pule'anga 'Aositelelia mo e Polisi 'a Nu'usila. 'Oku 'i ai 'a e 'amanaki 'e fakahoko 'a e ako tatau 'i he 2014, pe ke fakahoko 'i he ta'u kotoa.

(2) AKO MA'AE KAU TALATALAAKI 'A E POLISI

'I 'Epeleli mo 'Okatopa 2013 na'e tokoni 'a e 'Ofisi ki he Polisi Tonga 'i hono ako'i 'o 'ene kau talatalaaki, 'i he 'uluaki fuofua ako pea hoko atu ai 'a e ako ngaue. Na'e poupou'i foki 'e he Kau Fakamaau Polisi 'a e ako. Na'e fakahoko 'a e ako 'i he ngaahi teuteu ki he hopo, ngaahi fakamalanga fakaava, fakamo'oni tefito, fakafehu'i, fuofua sivi'i 'o ha taha fakamo'oni, ngaahi fakamalanga tapuni, tala tu'utu'uni, ngaahi tohi kole ki he malu'i, mo e tu'unga 'ulungaanga 'i he Fakamaau'anga.

'I he ako ngaue, na'e fakahoko 'e he kau talatalaaki 'a e Polisi 'a e ngaahi fatongia kehekehe 'o e talatalaaki, pea na'e fakaanga'i mo 'oatu 'a e lau ki he fakahoko ngaue.

(3) AKO MA'AE KAU POLISI FAKATOTOLO

'I Siulai 2013, na'e fakahoko 'e he 'Ofisi 'o e 'Ateni Seniale mo e Polisi Tonga, fakataha mo e popou 'a e Polisi 'a Nu'usila, 'a e ako fakatotolo ma'ae kau fakatotolo. Na'e tafataha 'a e 'ofisi ki hono fakahoko 'o e ako 'i he ngaahi mafai fakatotolo 'o e Polisi, lao hia, fakamo'oni, malu'i, mo e ngaahi founga ngaue fakapolisi fekau'aki mo hono faka'eke 'o e kau fakamo'oni. Ko e faingamalie foki eni ma'ae 'Ofisi ke fakahoko ha lau fekau'aki mo e ngaahi me'a 'a ia kuo nau fehangahangai mo ia 'i he ngaahi faka'ilo hia fekau'aki mo e ngaahi fakatotolo 'a e Polisi mo e tu'unga 'o e ngaahi faile Polisi.

(4) UIKE LAO FAKATA'U HONO 6, 2013

'E fakahoko 'e he 'Ofisi 'o e 'Ateni Seniale 'i he faka'osinga 'o Novema 2013, 'a e Uike Lao Fakata'u hono 6, mo e kaveinga "Ngaahi Lao 'o e Kolo". Ko e taumu'a ke fakalahi 'a e 'ilo ki he ngaahi lao 'a ia 'oku ala ngaue'aki mo felave'i fakahangatonu ki he mo'ui 'i he ngaahi tu'unga fakakolo, tautefito ki hono tuku 'a 'o e monumanu, ngaahi mafai 'o e kau 'ofisa kolo mo e kau 'ofisa fakavahefonua, polisi fakakolo, ngaahi kosilio fakakakolo, ngaahi fono fakakolo, mo e ngaahi hia 'i he ngaahi feitu'u fakapule'anga. 'E hoko foki ia ko ha faingamalie ke talanoa'i 'a e Lao fo'ou ki hono Malu'i 'o e Famili mo hono ngaue'aki.

TEPILE I

KAU NGAUE 'A E 'OFISI 'O E 'ATENI SENIALE 'I HE 'AHO 31 TISEMA 2013

KAU NGAUE FAKAFOFONGA LAO

1	*'Ateni Seniale*	**Neil James Adsett**
2	*Fakahinohino Lao Pule*	**'Asipeli 'Aminiasi Kefu,** LLB, *Waikato* LLM *VUW,* GDPSM *Massey*, Barrister & Solicitor of the High Court of New Zealand, Law Practitioner and Commissioner for Oaths (Tonga*)*
3	*Fakahinohino Lao Ma'olunga*	**LAKANGA 'ATAA**
4	*Tokoni Fakahinohino Lao Ma'olunga*	**Sione Finau Sisifa** LLB *USP,* PDLP *USP,* Barrister & Solicitor of the High Court of Fiji, Law Practitioner and Commissioner for Oaths (Tonga)
5	*'Ofisa Fakahinohino Lao*	**James Bruce Lutui** LLB *USP,* LLM (Hons.) *UOA,* PDLP *USP,* PDLD *USP* Barrister & Solicitor of the High Court of Fiji, Law Practitioner (Tonga)
		'Elisapeti Lavakei'aho Langi LLB *USP,* PDLP *USP,* PDLD *USP,* Barrister & Solicitor of the High Court of Fiji, Law Practitioner (Tonga)
7	*'Ofisa Fakahinohino Lao Tokoni*	**Juliana Lafaialii** LLB *USP,* PDLP *USP*, PDLD *USP,* Law Practitioner (Tonga)
		Leotrina Macomber LLB *USP* , PDLP *USP,* PDLD *USP,* Barrister & Solicitor of the High Court of Fiji, Law Practitioner (Tonga)
		Joan Puloka LLB *USP,* PDLP *USP*, Law Practitioner (Tonga)
		Rose Lesley Kautoke

		LLB *USP,* PDLP *USP*, PDLD *USP,* Law Practitioner (Tonga)
		'Akanesi E Katoa
		LLB *USP* Dip. PDLP *USP*, PDLD *USP,* Law Practitioner (Tonga)
		Marina Moa
		LLB *USP,* PDLP *USP,* Law Practitioner and Commissioner for Oaths (Tonga)
KAU NGAUE POUPOU KI HONO FAKALELE 'O E NGAUE		
8	*Fakatonu Lea Ma'olunga*	**VACANT**
9	*Tokoni Fakatonu Lea Ma'olunga*	**VACANT**
10	*Fakatonu Lea*	**Losa Hastings**
		'Ana Fusipala Sisilia Michelle Koloamatangi
11	*Sekelitali ki he 'Ateni Seniale mo e Pule 'o e Ngaahi Me'a Fekau'aki mo e Kau Ngaue*	**Simaili Tu'ifua Ma'ake**
12	*'Ofisa Pule*	**Taufa 'Otuhouma**
13	*Kalake Komipiuta Kalasi III*	**Katalina Fisi'ilose Leha**
14	*Failesisita Faile*	**Niusolifoni Kei**
15	*Kalake Komipiuta Kalasi III*	**Keleni Tu'iniua Pasikala**
16	*Faka'uli*	**Siosaia Fifita**
		Samiuela Toli
17	*Tauhi Fale*	**Siulolo Tu'itavuki**
18	*Kalake Lau 'Aho*	**Siosi'ana Latu Kalapa Sikalu**

TEPILE II

Ko e fakalukufua eni 'o e ngaahi fakataha mo e ngaahi ako kehekehe na'e kau atu ki ai 'a e kau ngaue fakafofonga lao:

NGAAHI AKO

	'AHO	AKO	FEITU'U MO E NI'IHI NA'A NAU FOKOTU'UTU'U	NI'IHI NE KAU KI AI
1	4 Ma'asi	APG Workshop on the Revised FATF Standards and Pacific Typologies	Brisbane, Australia	'Aminiasi Kefu, Fakahinohino Lao Pule
2	11 Ma'asi	Workshop on Deep Sea Mining Law and Contract Negotiations	Nuku'alofa, Tonga	James Lutui, 'Ofisa Fakahinohino Lao
3	19-20 Ma'asi	Tonga Counter-Terrorism Desktop Exercise	Nuku'alofa, Tonga	'Aminiasi Kefu, Fakahinohino Lao Pule 'Elisapeti Lavakei'aho, 'Ofisa Fakahinohino Lao Leotrina Macomber, Fakahinohino Lao Tokoni
4	15-26 'Epeleli	Tonga Police Prosecution Workshop	Nuku'alofa, Tonga	'Aminiasi Kefu, Fakahinohino Lao Pule Sione Sisifa, Tokoni Fakahinohino Lao Ma'olunga James Lutui, 'Ofisa Fakahinohino Lao

5	22-24 'Epeleli	Tonga Inter-Agency Border Protection Workshop	Nuku'alofa, Tonga	Juliana Lafaialii Lutui, Fakahinohino Lao Tokoni Marina Moa, Fakahinohino Lao Tokoni
6	23-25 'Epeleli	Regional Workshop on Trafficking in Persons and Child Sex Tourism	Nadi, Fiji	Sione Sisifa, Tokoni Fakahinohino Lao Ma'olunga
7	6-10 Me	Workshop on Contemporary Maritime Issues in the Western and Central Pacific	Auckland, New Zealand	Joan Puloka, Fakahinohino Lao Tokoni
8	2-29 Siulai 2013	DSM Project Legal Trainee Placement with the International Seabed Authority	Kingston, Jamaica	Rose Kautoke, Fakahinohino Lao Tokoni

NGAAHI FAKATAHA FAKALOTOFONUA, FAKAVAHEFONUA MO FAKAVAHA'APULE'ANGA

	'AHO	FAKATAHA	FEITU'U	NI'IHI NE KAU KI AI
1	21 Sanuali	2nd Universal Periodic Review for Tonga, Human Rights Council	Geneva, Switzerland	'Aminiasi Kefu, Fakahinohino Lao Pule
2	11 Ma'asi	Meeting of Working Group of Commonwealth Experts on Cybercrime	London, UK	'Aminiasi Kefu, Fakahinohino Lao Pule
3	3-6 Sune	Pacific Command Military Operations and Law Conference	Bangkok, Thailand	'Aminiasi Kefu, Fakahinohino Lao Pule

4	5-6 Sune	Forum Regional Security Committee	Suva, Fiji	Rose Kautoke, Fakahinohino Lao Tokoni
5	4-7 Siulai	Operation Ika Moana Planning Conference	Rarotonga, Cook Islands	Joan Puloka, Fakahinohino Lao Tokoni
6	7-10 Siulai	ICPD Beyond 2014 Conference on Human Rights	The Hague, Netherlands	'Akanesi Katoa, Fakahinohino Lao Tokoni
7	15-19 Siulai	16th APG Annual General Meeting and Capacity Building	Shanghai, PRC	'Aminiasi Kefu, Fakahinohino Lao Pule
8	2-3 Sepitema	Pacific ACP States Preparatory Meeting for the 9th WTO Ministerial Meeting	Port Vila, Vanuatu	Rose Kautoke, Fakahinohino Lao Tokoni
9	9-10 Sepitema	Scoping Mission to the Samoa International Finance Authority	Apia, Samoa	Juliana Lafaiali'i Lutui, Fakahinohino Lao Tokoni
10	9-11 Sepitema	Senior Officials of Law Ministries Meeting	London, UK	'Aminiasi Kefu, Fakahinohino Lao Pule Susana Faletau, Sekelitali 'a e Fakamaau'anga
11	12-13 Sepitema	Meeting of Commonwealth Law Ministers and Attorneys General of Small Commonwealth Jurisdiction	London, UK	Neil Adsett, 'Ateni Seniale 'Aminiasi Kefu, Fakahinohino Lao Pule

				Susana Faletau, Sekelitali 'a e Fakamaau'anga
12	16 Sepitema	Pacific Islands Forum Reference Group on Sexual and Gender Based Violence	Suva, Fiji	'Akanesi Katoa, Fakahinohino Lao Tokoni
13	23-27 Sepitema	Joint APG/EAG Typologies and Capacity Building Workshop	Ulaanbaatar, Mongolia	'Aminiasi Kefu, Fakahinohino Lao Pule
14	3-25 'Okatopa	Economic Partnership Agreement Related Meeting	Brussels, Belgium	Rose Kautoke, Fakahinohino Lao Tokoni
15	7-11 'Okatopa	Annual Human Rights Consultation	Suva, Fiji	'Akanesi Katoa, Fakahinohino Lao Tokoni

TEPILE III

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Fika.	POTUNGAUE	LAHI 'O E FALE'I FAKALAO
1	'Ofisi Palemia	19
2	Kau Tau 'a 'Ene 'Afio	2
3	Potungaue Polisi	9
4	Potungaue Ako	3
5	Komisoni 'o e Kau Ngaue Fakapule'anga	24
6	Potungaue 'a e Ngaahi Ngaue Lalahi	11
7	Potungaue Pa'anga mo e Palani Fakalotofonua	13
8	Potungaue Komeesi	16
9	Potungaue Pa'anga Hu Mai	5
10	Potungaue Lao	17
11	Potungaue Ngaahi Kautaha 'a e Pule'anga	-
12	Potungaue Ngoue Me'atokoni, Toutai mo e Vaotata	8
13	Potungaue Mo'ui	6
14	Potungaue Ngaahi Ngaue ki Muli	21
15	Potungaue Fonua, Savea mo e Ngaahi Koloa Fakanatula	10
16	Potungaue 'Aotita	6
17	Fale Alea 'o Tonga	1
18	'Eiki Tauhi Sila 'a 'Ene 'Afio	3
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NGAAHI LAO KUO PAASI 'E HE FALE ALEA LOLOTONGA 'A E TO'U FALE ALEA 2013

Fika.	NGAAHI LAO
1	Lao ki he Fokotu'utu'u ki he Sipoti 'a e Pasifiki 2013
2	Lao (Fakatonutonu) 'o e Konisitutone 2013
3	Lao (Fakatonutonu) ki he Kelekele
4	Lao (Fakatonutonu) ki he Fale Alea
5	Lao (Fakatonutonu) ki he Tukuhau Pa'anga Hu Mai
6	Lao (Fakatonutonu) ki hono Pule'i 'o e Ngaahi Ngaue Tanaki Pa'anga Hu Mai
7	Lao (Fakatonutonu) ki hono Pule'i 'o e Pa'anga Hu Mai
8	Lao (Fakatonutonu) ki hono Pule'i 'o e Tute mo e 'Ekisia
9	Lao (Fakatonutonu) ki he Tukuhau Ngaue'aki
10	Lao (Fakatonutonu) ki he Tukuhau 'Ekisia
11	Lao (Fakatonutonu) ki he Tute
12	Lao (Fakatonutonu) ki he Ngaahi 'Aho Malolo Fakapule'anga
13	Lao ke fakahu atu 'a e Pa'anga 2013/2014 ki he Ngaue 'a e Pule'anga
14	Lao (Fakatonutonu) ki he Palani Sino'i Pa'anga Fakafonua ki he Ngaahi Monu'ia Malolo mei he Fale Alea
15	Lao (Fakatonutonu) ki he Ma'u Mafai ki he Takimamata 'a Tonga
16	Lao (Fakatonutonu) ki he Palani Sino'i Pa'anga Fakafonua ki he Ngaahi Monu'ia Malolo
17	Lao (Fakatonutonu) ki he Mo'ui 'a e Kakai
18	Lao ki hono Ta'ofi 'o e Tautoitoi mo e Fa'ufa'u Fai Hia Fakavaha'apule'anga
19	Lao ki hono Malu'i 'o e Famili
20	Lao (Fakatonutonu) ki he Kau Tau 'a 'Ene 'Afio
21	Lao ki he Lesisita 'o e Hingoa 'o e Ngaahi Pisinisi
22	Lao (Fakatonutonu)(Fika. 2) ki he Tukuhau Pa'anga Hu Mai

TEPILE V

NGAAHI TU'UTU'UNI KUO FA'U LOLOTONGA 'A E 2013

FIKA.	NGAAHI TU'UTU'UNI
1	Ngaahi Tu'utu'uni (Fili) ki he Kau 'Ofisa Fakavahefonua mo e Kau 'Ofisa Kolo 2013
2	Ngaahi Tu'utu'uni (Fakatonutonu) ki he Tukuhau Pa'anga Hu Mai
3	Ngaahi Tu'utu'uni (Fakatonutonu) ki hono Pule'i 'o e Ngaahi Ngaue Tanaki Pa'anga Hu Mai
4	Ngaahi Tu'utu'uni ki he Mamata mo e Kaukau mo e Tofua'a
5	Tu'utu'uni (Fakatonutonu) ki he Tute Kasitomu
6	Tu'utu'uni ki he Tukuhau Ngaue'aki
7	Tu'utu'uni (Fakatonutonu) (ki hono Pule'i) 'o e Sino'i Pa'anga Malolo mei he Ngaue
8	Ngaahi Tu'utu'uni (Fakatonutonu) ki he Vahenga Malolo 'a e Kau Tau 'a 'Ene 'Afio
9	Ngaahi Tu'utu'uni (Monu'ia Ngaue) 'a e Kau Tau 'a 'Ene 'Afio